United Nations A/58/PV.72

General Assembly

Fifty-eighth session

Official Records

72nd plenary meeting
Tuesday, 9 December 2003, 10 a.m.
New York

President: The Hon. Julian R. Hunte ..... (Saint Lucia)

The meeting was called to order at 10.05 a.m.

Reports of the Sixth Committee

The President: The General Assembly will consider the reports of the Sixth Committee on agenda items 148 to 159, 162 to 164 and 128.

I request the Rapporteur of the Sixth Committee, Mr. Metod Spacek of Slovakia, to introduce the reports of the Sixth Committee in one intervention.

Mr. Spacek (Slovakia), Rapporteur of the Sixth Committee: Today I have the honour to present to the General Assembly the reports of the Sixth Committee on 15 of the agenda items allocated to it, namely, items 128, 148 to 159 and 162 to 164.

I would like to draw the Assembly's attention to agenda item 128, "Administration of justice at the United Nations". The relevant report of the Committee is contained in document A/58/521. The draft resolution recommended for adoption by the General Assembly appears in paragraph 6 of that report.

Under the terms of the draft resolution, the General Assembly would decide to amend article 3, paragraph 1, of the Statute of the United Nations Administrative Tribunal to provide that

> "Members shall possess judicial or other relevant legal experience in the field of administrative law or its equivalent within the member's national jurisdiction."

The Sixth Committee adopted the draft resolution without a vote and we hope that the General Assembly will do the same.

I now turn to the report of the Sixth Committee on agenda item 148, "Progressive development of the principles and norms of international law relating to the new international economic order", contained in document A/58/510.

Under the terms of the draft decision recommended by the Sixth Committee in paragraph 6 of the report, the General Assembly would decide to take note of the consideration of agenda item 148. The Assembly would further note that the item could be considered in the future.

The Sixth Committee adopted the draft resolution without a vote and we hope that the General Assembly will do the same.

I now turn to report of the Sixth Committee on agenda item 149, "United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law", contained in document A/58/511. The draft resolution recommended for adoption by the General Assembly is found in paragraph 6 of that report.

Under the terms of the draft resolution, the General Assembly would approve the guidelines and recommendations regarding the execution of the Programme for the biennium 2004-2005, and carry out in the biennium the activities specified in section III of the report of the Secretary-General on the Programme.

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A. Corrections will be issued after the end of the session in a consolidated corrigendum.

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It would also request the Secretary-General to continue to provide the necessary resources to the budget for the Programme for future bienniums.

The Sixth Committee adopted the draft resolution without a vote and we hope that the General Assembly will do the same.

I now call the Assembly's attention to agenda item 150, "Convention on jurisdictional immunities of States and their property". The relevant report of the Committee is contained in document A/58/512. The draft resolution recommended for adoption by the General Assembly is reproduced in paragraph 9 of that report.

Under the terms of the draft resolution, the General Assembly would decide that the Ad Hoc Committee on Jurisdictional Immunities of States and Their Property, established by resolution 55/150 of 12 December 2000, will reconvene from 1 to 5 March 2004, with a view to completing a convention on jurisdictional immunities of States and their property. To that end, the Ad Hoc Committee would be requested to formulate a preamble and final clauses, based on previously agreed results, and to report to the General Assembly at its fifty-ninth session on the outcome of its work.

The Sixth Committee adopted the draft resolution without a vote and we hope that the General Assembly will do the same.

I now turn to agenda item 151, "Report of the United Nations Commission on International Trade Law on the work of its thirty-sixth session". The report of the Sixth Committee on this agenda item is contained in document A/58/513. The Sixth Committee recommends that the General Assembly adopt the two draft resolutions contained in paragraph 9 of that document.

Under the terms of the first draft resolution entitled "Report of the United Nations Commission on International Trade Law on the work of its thirty-sixth session", the General Assembly would, among others things, request the Commission and its secretariat to take the lead in assuring cooperation and coordination with other relevant international organizations in work on international legal texts. In addition, it would request the Secretary-General to keep under review the level of resources available to the Commission in order to ensure its ability to carry out its mandate. It would also appeal to Governments, the relevant bodies of the United Nations system, organizations, institutions and individuals to support the training and legislative technical assistance programme of the Commission, in particular in developing countries, and to make voluntary contributions to the relevant trust funds.

Under the operative paragraphs of the second draft resolution, entitled "Model Legislative Provisions on Privately Financed Infrastructure Projects of the United Nations Commission on International Trade Law", the General Assembly would express its appreciation to the United Nations Commission on International Trade Law for its adoption of the Model Legislative Provisions, would request the Secretary-General to publish them and would recommend that all States give due consideration to the Model Legislative Provisions and the Legislative Guide on the same subject, adopted by the Commission in 2000, when revising or adopting their relevant legislation.

The Sixth Committee adopted the draft resolution without a vote and we hope that the General Assembly will do the same.

I would now like to draw the Assembly's attention to the Sixth Committee's report on agenda item 152, "Report of the International Law Commission on the work of its fifty-fifth session", contained in document A/58/514. The draft resolution recommended for adoption by the General Assembly appears in paragraph 8 of that report.

By the terms of the draft resolution, the General Assembly would, among other things, take note with appreciation of the report of the International Law Commission on the work of its fifty-fifth session and recommend that the Commission continue its work on the topics in its current programme, taking into account comments and observations of Governments.

The General Assembly would reiterate the invitation to Governments to provide information regarding State practice on the topic "Unilateral acts of States" and would invite Governments to submit information regarding national legislation, bilateral and other agreements and arrangements with regard to the use and management of transboundary groundwaters, in particular those governing quality and quantity of such waters, relevant to the topic currently entitled "Shared natural resources". The Assembly would also request the Secretary-General to invite States and international organizations to submit information

concerning their practice relevant to the topic "Responsibility of international organizations", including cases in which States members of an international organization may be regarded as responsible for acts of the Organization.

The General Assembly would also invite the Commission to continue taking measures to enhance its efficiency and productivity and would encourage the Commission to continue taking cost-saving measures at it future sessions. Furthermore, it would approve the conclusions of the Commission regarding documentation of the Commission.

In addition, the General Assembly would decide that the next session of the Commission would be held at the United Nations Office at Geneva from 3 May to 4 June and from 5 July to 6 August 2004.

The Sixth Committee adopted the draft resolution without a vote and we hope that the General Assembly will do the same.

Let me now turn to the Sixth Committee's report on agenda item 153, "Report of the Committee on Relations with the Host Country", contained in document A/58/515. The draft resolution recommended to the Assembly for adoption is set out in paragraph 8 of that report.

Under the terms of the draft resolution, the Assembly would, inter alia, endorse the recommendations and conclusions of the Host Country Committee, express the view that the maintenance of appropriate conditions for the normal work of delegations and the missions accredited to the United Nations and the observance of their privileges and immunities is an issue of great importance, and request the host country to continue to resolve, through negotiations, problems that might arise and to take all measures necessary to prevent any interference with the functioning of missions.

Furthermore, the Assembly would welcome the decision of the Committee to conduct a detailed review of the implementation of the Parking Programme for Diplomatic Vehicles, as recommended by the Legal Counsel in his legal opinion on 24 September 2002, with a view to addressing the problems experienced by some Missions during the first year of the Parking Programme, and ensuring its proper implementation in a manner that is fair, non-discriminatory, effective and consistent with international law. It would express its appreciation for the efforts made by the host country and its hope that the issues raised at the meetings of the Host Country Committee would continue to be resolved in a spirit of cooperation and in accordance with international law. Moreover, it would note that during the reporting period the travel controls previously imposed by the host country on staff of certain missions, and staff members of the Secretariat of certain nationalities, remained in effect and would request the host country to consider removing such travel controls.

The Assembly would also note that the Committee anticipates that the host country will continue to ensure the timely issuance of entry visas to representatives of Member States for the purpose of their attending official United Nations meetings, in accordance with applicable agreements.

The Sixth Committee adopted the draft resolution without a vote and we hope that the General Assembly will do the same.

I now turn to the Sixth Committee's report on agenda item 154, entitled "International Criminal Court", contained in document A/58/516. The draft resolution recommended for adoption by the General Assembly is found in paragraph 8 of that report.

Under the terms of the draft resolution, the General Assembly would, inter alia, call upon all States that have signed the Rome Statute of the International Criminal Court to ratify or accede to that agreement without delay and would encourage efforts aimed at promoting the results of the Rome Conference and the provisions of the Rome Statute.

The Assembly would also welcome the establishment of the Permanent Secretariat for the Assembly of States Parties and, in that context, would recognize the need for an orderly and smooth transition of that function from the United Nations Secretariat to the new body. In addition, the Assembly would express its appreciation to the Secretary-General for providing effective and efficient assistance in the establishment of the Court and would also invite him to take measures to conclude a relationship agreement between the United Nations and the Court.

The Sixth Committee adopted the draft resolution without a vote and we hope that the Assembly will do the same.

I now draw the Assembly's attention to the Sixth Committee's report on agenda item 155, "Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization", contained in document A/58/517. The Sixth Committee recommends that the General Assembly adopt two draft resolutions contained in paragraph 12 of that report.

By the terms of draft resolution I, entitled "Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization", the General Assembly would, inter alia, request the Special Committee, at its next session, from 29 March to 8 April 2004, to continue its consideration of all proposals concerning the question of the maintenance of international peace and security in all its aspects in order to strengthen the role of the United Nations. The Special Committee would also be requested to continue to consider, on a priority basis, the question of the implementation of the provisions of the Charter of the United Nations related to assistance to third States affected by the application of sanctions under Chapter VII of the Charter, by commencing a substantive debate on all of the related reports of the Secretary-General and the proposals submitted on the question.

Furthermore, the Assembly would encourage the Secretary-General in his efforts to eliminate the backlog in the *Repertory of Practice of United Nations Organs* and in the *Repertoire of the Practice of the Security Council* and request that he submit a report on both publications to the General Assembly at its fifty-ninth session.

By the provisions of draft resolution II, entitled "Implementation of the provisions of the Charter of the United Nations related to assistance to third States affected by the application of sanctions", the General Assembly would, inter alia, decide to consider at its fifty-ninth session — either within the Sixth Committee or a working group of that Committee — further progress in the elaboration of effective measures to implement the provisions of the Charter related to assistance to third States affected by sanctions.

The Sixth Committee adopted the two draft resolutions without a vote and we hope that the Assembly will wish to do the same.

I now turn to the report of the Sixth Committee on agenda item 156, "Measures to eliminate international terrorism", contained in document A/58/518. The draft resolution recommended for adoption by the General Assembly is set out in paragraph 10 of that report.

Under the terms of the draft resolution, the Assembly would, inter alia, strongly condemn all acts, methods and practices of terrorism as criminal and unjustifiable, wherever and by whomsoever committed. In addition, the Assembly would urge States that have not yet done so to consider, as a matter of priority and in accordance with Security Council resolution 1373 (2001), becoming parties to the relevant conventions and protocols in that area. The draft resolution would urge States to work in cooperation with the Secretary-General and with one another, as well as with interested intergovernmental organizations, to ensure, where appropriate within existing mandates, that technical and other expert advice is provided to States requiring and requesting assistance to enable them to become parties to the conventions and protocols in question.

Furthermore, the Assembly would decide that the Ad Hoc Committee, established pursuant to resolution 51/210 of 17 December 1996, would continue to elaborate a draft comprehensive convention on international terrorism, as a matter of urgency, and would continue its efforts to resolve the outstanding issues relating to the elaboration of a draft international convention for the suppression of acts of nuclear terrorism. The Ad Hoc Committee would also keep on its agenda the question of convening a high-level conference, under the auspices of the United Nations, to formulate a joint organized response of the international community to terrorism in all its forms and manifestations.

The Assembly would further decide that the Ad Hoc Committee will meet from 28 June to 2 July 2004 and would continue their work, if necessary, during the fifty-ninth session of the General Assembly, within the framework of a working group of the Sixth Committee.

The Sixth Committee adopted the draft resolution without a vote and we hope that the Assembly will do the same.

I would now like to turn to the report of the Sixth Committee on agenda item 157, "Scope of legal protection under the Convention on the Safety of

United Nations and Associated Personnel", contained in document A/58/519. The draft resolution recommended by the Sixth Committee for adoption by the General Assembly is set out in paragraph 10 of that report.

Under the terms of the draft resolution, the General Assembly would, among other things, urge States to take all necessary measures, in accordance with their international obligations, to prevent the commission of crimes against United Nations and associated personnel, and to ensure that those crimes do not go unpunished and that the perpetrators of such crimes are brought to justice.

According to operative paragraph 11, the next meeting of the Ad Hoc Committee established by General Assembly resolution 56/89 would be held from 12 to 16 April 2004. The Ad Hoc Committee's mandate, as set out in that paragraph, would be to expand the scope of legal protection under the Convention on the Safety of United Nations and Associated Personnel, including, inter alia, by means of a legal instrument, and that the work shall continue during the fifty-ninth session of the General Assembly within the working group of the Sixth Committee. By operative paragraph 12, the Ad Hoc Committee would be requested to submit a report on its work to the General Assembly at the fifty-ninth session. Finally, in operative paragraph 13, the General Assembly would request the Secretary-General to report to the General Assembly at its fifty-ninth session on the measures taken to implement the resolution.

The Sixth Committee adopted the draft resolution without a vote and we hope that the Assembly will do the same.

I now draw the Assembly's attention to the Sixth Committee's report on agenda item 158, entitled "International convention against the reproductive cloning of human beings", contained in document A/58/520. The Sixth Committee's recommendation to the General Assembly can be found in paragraph 14 of that report. As described in paragraph 10, the Sixth Committee adopted a motion, under rule 116 of the rules of procedure of the General Assembly, to adjourn the debate on the agenda item until the sixtieth session of the General Assembly. Therefore, as noted in paragraph 13, the Committee did not take action on any other proposals.

The Sixth Committee recommends that the item entitled "International convention against the reproductive cloning of human beings" be included in the provisional agenda of the sixtieth session of the General Assembly.

I now turn to agenda item 159, "Observer status for the International Institute for Democracy and Electoral Assistance in the General Assembly". The relevant report of the Sixth Committee is contained in document A/58/522 and the draft resolution recommended for adoption by the General Assembly is found in paragraph 8 of that report.

Under the terms of the draft resolution, the General Assembly would decide to invite the International Institute for Democracy and Electoral Assistance to participate in the sessions and the work of the General Assembly in the capacity of observer. It would also request the Secretary-General to take the necessary action to implement the resolution.

The draft resolution was adopted by the Sixth Committee without a vote and we hope that the Assembly will do the same.

I now draw the Assembly's attention to the Sixth Committee's report on agenda item 162, "Observer status for the Eurasian Economic Community in the General Assembly", contained in document A/58/523. The draft resolution recommended for adoption by the General Assembly is reproduced in paragraph 8 of that report.

Under the terms of the draft resolution, the General Assembly would decide to invite the Eurasian Economic Community to participate in the sessions and the work of the General Assembly in the capacity of observer. It would also request the Secretary-General to take the necessary action to implement the resolution.

The draft resolution was adopted by the Sixth Committee without a vote and we hope that the Assembly will do the same.

I now turn to agenda item 163, "Observer status for the GUUAM in the General Assembly". The relevant report of the Committee is contained in document A/58/524 and the draft resolution for adoption by the General Assembly is set out in paragraph of that report.

Under the terms of the draft resolution, the General Assembly would decide to invite GUUAM to

participate in the sessions and the work of the General Assembly in the capacity of observer. It would also request the Secretary-General to take the necessary action to implement the resolution.

The draft resolution was adopted by the Sixth Committee without a vote and we hope that the General Assembly will do the same.

I now turn to the Sixth Committee's report on agenda item 164, "Observer status for the East African Community in the General Assembly", contained in document A/58/525. The draft resolution recommended for adoption by the General Assembly is reproduced in paragraph 7 of that report.

Under the terms of the draft resolution, the General Assembly would decide to invite the East African Community to participate in the sessions and the work of the General Assembly in the capacity of observer. It would also request the Secretary-General to take the necessary action to implement the resolution.

The draft resolution was adopted by the Sixth Committee without a vote and we hope that the Assembly will do the same.

This concludes my presentation of the reports of the Sixth Committee. I would like to take this opportunity to thank the Chairman of the Sixth Committee, Ambassador Lauro Baja, and the other members of the Bureau, Mr. Tal Becker, Ambassador Allieu Ibrahim Kanu, and Ms. Gaile Ann Ramoutar, for their hard work and leadership. I would also like to thank all the delegates for their contributions to the success of the session.

Furthermore, I would like to place on record our appreciation for the able and efficient cooperation provided by Mr. Václav Mikulka, the Secretary of the Committee, and his very competent team. It is owing to their efforts that the work of the Committee always proceeded smoothly, efficiently and in an atmosphere of genuine cordiality. We are grateful to them for ensuring that we completed our work successfully.

The President: I thank the Rapporteur of the Sixth Committee.

If there is no proposal under rule 66 of the rules of procedure, I shall take it that the General Assembly decides not to discuss the reports of the Sixth Committee that are before the Assembly today.

It was so decided.

Statements will therefore be limited to explanations of vote.

The positions of delegations regarding the recommendations of the Sixth Committee have been made clear in the Committee and are reflected in the relevant official records.

May I remind members that under paragraph 7 of decision 34/401, the General Assembly agreed that

> "When the same draft resolution is considered in a Main Committee and in plenary meeting, a delegation should, as far as possible, explain its vote only once, i.e., either in the Committee or in plenary meeting, unless that delegation's vote in plenary meeting is different from its vote in the Committee."

May I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Before we begin to take action on the recommendations contained in the reports of the Sixth Committee, I should like to advise representatives that we are going to proceed to take decisions in the same manner as was done in the Sixth Committee, unless the Secretariat is notified otherwise in advance.

I should therefore hope that we may proceed to adopt without a vote those recommendations that were adopted without a vote in the Sixth Committee.

Agenda item 148

Progressive development of the principles and norms of international law relating to the new international economic order

Report of the Sixth Committee (A/58/510)

The President: The Assembly will now take a decision on the draft decision recommended by the Sixth Committee in paragraph 6 of its report.

The draft decision was adopted by the Sixth Committee without a vote. May I consider that the Assembly wishes to do the same?

The draft decision was adopted (decision 58/522).

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 148?

It was so decided.

Agenda item 149

United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law

Report of the Sixth Committee (A/58/511)

The President: The Assembly will now take a decision on the draft resolution recommended by the Sixth Committee in paragraph 6 of its report.

The Sixth Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 58/73).

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 149?

It was so decided.

Agenda item 150

Convention on jurisdictional immunities of States and their property

Report of the Sixth Committee (A/58/512)

The President: The Assembly will now take a decision on the draft resolution recommended by the Sixth Committee in paragraph 9 of its report.

The Sixth Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 58/74).

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 150?

It was so decided.

Agenda item 151

Report of the United Nations Commission on International Trade Law on the work of its thirty-sixth session

Report of the Sixth Committee (A/58/513)

The President: The Assembly will now take a decision on the two draft resolutions recommended by the Sixth Committee in paragraph 9 of its report.

Draft resolution I is entitled "Report of the United Nations Commission on International Trade Law on the work of its thirty-sixth session".

The Sixth Committee adopted draft resolution I without a vote. May I take it that the Assembly wishes to do the same?

Mr. Kanu (Sierra Leone): Sierra Leone was a sponsor of the draft resolutions but that is not indicated in the report. We wish that to be indicated in the record of the meeting.

The President: It has been duly noted.

The Sixth Committee adopted draft resolution I without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution I was adopted (resolution 58/75).

The President: Draft resolution II is entitled "Model Legislative Provisions on Privately Financed Infrastructure Projects of the United Nations Commission on International Trade Law".

The Sixth Committee adopted draft resolution II without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution II was adopted (resolution 58/76).

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 151?

It was so decided.

Agenda item 152

Report of the International Law Commission on the work of its fifty-fifth session

Report of the Sixth Committee (A/58/514)

The President: The Assembly will now take a decision on the draft resolution recommended by the Sixth Committee in paragraph 8 of its report.

The Sixth Committee adopted the draft resolution without a vote. May I consider that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 58/77).

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 152?

It was so decided.

Agenda item 153

Report of the Committee on Relations with the Host Country

Report of the Sixth Committee (A/58/515)

The President: The Assembly will now take a decision on the draft resolution recommended by the Sixth Committee in paragraph 8 of its report.

The Sixth Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 58/78).

The President: I have one request for explanation of position after the adoption of the draft resolution. I now give the floor to the representative of Cuba.

Ms. Ramos Rodríguez (Cuba) (*spoke in Spanish*): My delegation felt it appropriate to maintain consensus on the adoption of the draft resolution contained in document A/C.6/58/L.23, under agenda item 153, "Report of the Committee on Relations with the Host Country", and with regard to the report of the Sixth Committee contained in document A/58/515.

However, we do wish to indicate that the host country continues to repeatedly fail to comply with its obligations under the Convention on the Privileges and Immunities of the United Nations, the Vienna Convention on Diplomatic Relations of 1961 and the agreement concluded between the United Nations and the United States of America concerning the Headquarters of the United Nations.

My delegation states this on the basis of concrete examples which occurred recently, such as the arbitrary failure to grant travel permits requested for His Excellency Mr. Dagoberto Rodriguez Barrera, head of the Cuban Interests Section in Washington, to attend the fifty-eighth regular session of the General Assembly of the United Nations as a member of the Cuban delegation.

More recently, in November, there was the late issuance of travel permits to two officials of our Mission who were to travel to Washington to participate in the meeting of the Council of the Global Environment Facility, scheduled for 19 to 21 November 2003. Although the travel permit in question was requested within the time limits established, as stipulated by the discriminatory practices imposed by the host country against the Cuban Mission to the United Nations, this delay meant that the Cuban delegation was unable to be present at that meeting during the first day of the session. To date, we have not been informed of the reasons.

That unjustified delay comes in addition to the fact that entry visas to the United States were not issued to the remainder of the Cuban delegation, which was to travel from Havana to participate in that event. Despite the fact that Cuba currently occupies the position of member of the Council of the Global Environment Facility for the Caribbean area and presides over the Conference of the Parties to the United Nations Convention to Combat Desertification, which agreed at its sixth meeting in Havana, from 25 August to 5 September 2003, to accept the Global Environment Facility as the financial mechanism of the Convention.

We wish to reiterate that in our capacity as a member of the Committee on Relations with the Host Country, we will continue to contribute to refining the work of that Committee through broad-based processes of debate, consultation and negotiation among its members and the active participation of other States.

However, we cannot fail to denounce the selective, unjust, discriminatory and politically motivated practices by the host country, which constitute flagrant violations of the Headquarters Agreement and the customary rules of diplomatic law.

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 153?

It was so decided.

Agenda item 154

International Criminal Court

Report of the Sixth Committee (A/58/516)

The President: The chair has before it a request for explanation of vote before the vote. I now give the floor to the representative of the United States of America.

Ms. Willson (United States of America): For reasons set forth in our 23 October statement in the Sixth Committee on this agenda item, the United States cannot and does not join consensus on this resolution embracing the International Criminal Court.

The President: The Assembly will now take a decision on the draft resolution recommended by the Sixth Committee in paragraph 8 of its report.

The Sixth Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do likewise?

The draft resolution was adopted (resolution 58/79).

The President: The Assembly has thus concluded this stage of its consideration of agenda item 154.

Agenda item 155

Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization

Report of the Sixth Committee (A/58/517)

The President: The Assembly has before it two draft resolutions recommended by the Sixth Committee in paragraph 12 of its report.

I should like to inform members that action on draft resolution I is postponed to a later date to allow time for the review of its programme budget implications by the Fifth Committee. The Assembly will take action on draft resolution I as soon as the report of the Fifth Committee on its programme budget implications is available.

The Assembly will now take a decision on draft resolution II, entitled "Implementation of the provisions of the Charter of the United Nations related to assistance to third States affected by the application of sanctions".

The Sixth Committee adopted draft resolution II without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution II was adopted (resolution 58/80).

The President: The Assembly has thus concluded this stage of its consideration of agenda item 155.

Agenda item 156

Measures to eliminate international terrorism

Report of the Sixth Committee (A/58/518)

The President: The Assembly will now take a decision on the draft resolution recommended by the Sixth Committee in paragraph 10 of its report.

The Sixth Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 58/81).

The President: The General Assembly has thus concluded this stage of its consideration of agenda item 156.

Agenda item 157

Scope of legal protection under the Convention on the Safety of United Nations and Associated Personnel

Report of the Sixth Committee (A/58/519)

The President: The Assembly will now take a decision on the draft resolution recommended by the Sixth Committee in paragraph 10 of its report.

The Sixth Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do likewise?

The draft resolution was adopted (resolution 58/82).

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 157?

It was so decided.

Agenda item 158

International convention against the reproductive cloning of human beings

Report of the Sixth Committee (A/58/520)

Draft resolution (A/58/L.37)

The President: After consultations with concerned delegations, it is my understanding that there is an agreement whereby no action will be taken on the recommendation by the Sixth Committee contained in paragraph 14 of its report (A/58/520) or on draft resolution A/58/L.37. It is also my understanding that there is agreement to adopt the following decision: "The General Assembly decides that the item entitled 'International convention against the reproductive cloning of human beings' will be included in the provisional agenda of its fifty-ninth session."

May I take it that it is the wish of the General Assembly to proceed along those lines?

It was so decided.

The President: I now call on those representatives who wish to speak in explanation of position on the decision just adopted. May I remind delegations that explanations of position are limited to 10 minutes and should be made by delegations from their seats.

Sir Emyr Jones Parry (United Kingdom): The United Kingdom is profoundly disappointed by the actions of those who sought, until very recently, to overturn the decision of the Sixth Committee.

During the deliberations of the Sixth Committee, we made clear the views of the United Kingdom. The United Kingdom is totally opposed to reproductive cloning, and we were one of the first countries in the world to introduce specific legislation to ban that possibility.

However, in our view, therapeutic cloning is a different matter. The United Kingdom believes that all types of stem cell research, including therapeutic cloning, should be encouraged. Indeed, we believe that it would be indefensible to stop such research and deny millions of people — and their families — the chance of new treatments that could save their lives. The international scientific community supports that view. More than 60 of the world's leading scientific academies, including the United States National Academy of Sciences, published a joint statement in September 2003 calling on the United Nations to ban reproductive cloning — but to permit therapeutic cloning research.

The United Kingdom respects the cultural, religious and social differences that may lead other countries to reach different conclusions on what type of research may be appropriate in their own national settings. We have no wish to impose our view on other countries or to interfere in decisions that have been legitimately taken by other national Governments. We believe that it would be totally unjustifiable to attempt to impose a ban on therapeutic cloning in those countries that have reached a national consensus in favour of such research, that have nationally agreed regulatory systems for embryo research, and that are working to deliver new treatments for serious and life-threatening diseases.

I have already expressed our disappointment at the present situation. We believe that the United Nations should proceed through consensus. It is clear that there is no consensus with respect to therapeutic cloning research. But, by ignoring that fact and pressing for action to ban all cloning, supporters of the Costa Rican draft resolution have effectively destroyed

the possibility of action on the important area on which we are all agreed — a ban on reproductive cloning.

I wish to make clear that the United Kingdom would never be party to any convention that aimed to introduce a global ban on therapeutic cloning; neither will the United Kingdom participate in the drafting of such a convention or apply it in its national law. Therapeutic cloning research will continue to be permitted in the United Kingdom.

Mr. Samy (Egypt) (*spoke in Arabic*): The delegation of Egypt joined the consensus of the General Assembly in its consideration of agenda item 158. Nevertheless, we should like to place on record the following two points.

First, the Egyptian delegation expresses its dissatisfaction at the precedent of the Assembly reconsidering in plenary meeting issues already discussed by the Sixth Committee and altering — even dropping — recommendations made in the Committee's report. We are fully aware that the plenary has the right to take any action it deems appropriate with regard to any recommendation made by any of the Main Committees. At the same time, however, I should like to express our concern at the possible repercussions of that precedent on the Committees' future actions and on the Assembly's relationship with its Committees.

Secondly, because the General Committee recommended referral of item 158 to the Sixth Committee, instead of recommending referral to the Assembly in plenary meeting, it is not procedurally permissible to submit any documents under the item to the plenary for consideration. Here, we should like to recall the consideration of agenda item 108, which was referred to both the Third Committee and the plenary. If the General Assembly had wished to grant jurisdiction to both plenary meetings and the Sixth Committee to consider item 158, then it would have done so, as was the case with item 108. Therefore, we have procedural doubts about the soundness of presenting document A/58/L.37.

The President: May I take it that it is the wish of the Assembly to conclude its consideration of agenda item 158?

It was so decided.

Agenda item 159

Observer status for the International Institute for Democracy and Electoral Assistance in the General Assembly

Report of the Sixth Committee (A/58/522)

The President: The Assembly will now take a decision on the draft resolution recommended by the Sixth Committee in paragraph 8 of its report.

The Sixth Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 58/83).

The President: May I take it that it is the wish of the Assembly to conclude its consideration of agenda item 159?

It was so decided.

Agenda item 162

Observer status for the Eurasian Economic Community in the General Assembly

Report of the Sixth Committee (A/58/523)

The President: We now turn to the draft resolution recommended by the Sixth Committee in paragraph 8 of its report. The representative of Sierra Leone has asked to speak in explanation of position before action is taken on the draft resolution, and I give him the floor.

Mr. Kanu (Sierra Leone): When this draft resolution came before the Sixth Committee for consideration, my delegation did not join the consensus because, as we indicated then, we did not have sufficient information on the Eurasian Economic Community. In the intervening period, we have been honoured and privileged to be furnished with sufficient information that has helped my delegation to understand what this community is seeking to achieve. On the basis of what we have been furnished, we are now satisfied on the bona fides of this Community, and, therefore, we are now prepared to join the consensus on this agenda item.

We wish also to express our profound thanks to the delegation of Azerbaijan which has endeavoured to furnish us with the requisite information on the basis of which we are now prepared to join the consensus.

The President: The Assembly will now take a decision on the draft resolution recommended by the Sixth Committee in paragraph 8 of its report (A/58/523).

The Sixth Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 58/84).

Mr. Kazykhanov (Kazakhstan) (*spoke in Russian*): On behalf of the Member States of the Eurasian Economic Community (EAEC) — the Republic of Belarus, the Republic of Kazakhstan, the Kyrgyz Republic, the Russian Federation and the Republic of Tajikistan — I would like to express our deep gratitude to the General Assembly for supporting the recommendation of the Sixth Committee on granting observer status to the EAEC in the General Assembly.

The Member States of the EAEC are grateful to those countries that have joined in sponsoring the resolution and in particular, Cambodia and Ukraine. One of them, Ukraine, has the status of observer in the EAEC. We see this decision by the General Assembly as proof that the international community has high regard for the work that is being conducted by our States in meeting the objectives and the challenges entailed in enhancing integration processes on Eurasian territory.

We also believe that this type of mechanism for cooperation, one such as the EAEC, is crucial in order for our common interests in the Eurasian region to be correctly presented at the international level. The major purposes of the Community are clearly articulated in the founding treaty of our organization and are in every way consonant with the purposes of the United Nations. The work of this regional intergovernmental organization includes a wide range of issues and encompasses economics, finance, trade, transport, energy, the environment and cooperation for development.

We are convinced that the work of the EAEC, as an organization that brings together States with enormous trade and transport potential, could become a significant factor in the ongoing post-Doha and post-Monterrey transformation of international trade and development policy. This experience and innovations which our countries are requiring as they transform their area into a free-trade zone through EAEC could, in our view, be appropriately implemented in the resumed post-Cancún negotiating process. The participation of the EAEC in the work of the General Assembly as an observer will help us establish closer cooperation between the EAEC and the United Nations so that we can achieve our common purposes in the area of socio-economic development. It will also help us establish new and more appropriate opportunities for expanding the field of cooperation between our two organizations.

The universal and comprehensive nature of the work of the United Nations, its tremendous intellectual and technological potential, puts it in a position to provide policy and technical support to the efforts of economic organizations such as the EAEC. This support from the United Nations would be an effective contributor to the successful development of the economies of our States in a time of rapidly changing global economic and trade processes.

The EAEC's involvement, as well as the involvement of other major inter-State economic associations in crafting high-level socio-economic policy decisions at the United Nations, is a positive step in light of the Secretary-General's report to the Millennium Summit with its recommendations to ensure closer coordination of macroeconomic and trade policy so as to help us achieve our common purpose, namely to increase the advantages of globalization.

In conclusion, I would once again like to thank the delegations for adopting this decision, and note the desire of our States to give solid substance to the EAEC's involvement as an observer in the General Assembly.

Mr. Rapota (Secretary-General, Eurasian Economic Community) (*spoke in Russian*): First of all, I would like to thank you, Mr. President, for giving me an opportunity to speak before the members of the General Assembly.

The Eurasian Economic Community (EAEC) is a regional organization, and its emergence logically stems from the high rate at which economic transformation is taking place in member States. The

Community fulfils our need for regional and subregional organizations in today's world as a strong voice in helping to resolve political and socio-economic problems. One of the major purposes of our organization is set forward in its unified economic space.

We are moving forward towards that goal. Recently, we have been able to achieve genuine results in integrating our work, for example, by creating a free-trade zone on the territory of the Community. We have also adopted a number of legal measures aimed at harmonizing foreign trade, including fiscal, customs and currency legislation among our States. Legislation has also been enacted on cross-border issues, energy, transportation and social questions. The problem of migration is now very urgent for all our States. Within our organization we have a draft agreement on principles for regulating labour migration, and, if adopted, it will eliminate many problems that have to do with illegal migration.

We are also paying a great deal of attention to resolving ecological problems. A major priority of our work is the area of social issues, which is particularly important for the Central Asian States, where providing employment, medical services and education, in addition to overcoming poverty, are pressing problems.

Generally, in spite of its relative youth, our organization is already playing a significant role in encouraging and expanding the integration of Member States into the global economy and the international division of labour.

As Secretary General of the EAEC, I wish to thank members for adopting this resolution today on granting observer status for the Community in the General Assembly. For us it is not just a formal act, it represents the conclusion of a process of international and legal recognition of our organization as a full-fledged participant in international economic integration. This new status, no doubt, will allow the EAEC to strengthen and improve its potential and will help us broaden the frameworks of our international cooperation. We are prepared to work very closely with the United Nations, as well as with all other international partners who are interested in working with us.

In conclusion, I would like to pledge to members that the EAEC will do its utmost to cooperate with the United Nations so that we can meet all our challenges and strengthen and support international peace and security by ensuring sustainable social economic developments in the Eurasian region.

The President: May I take it that it is the wish of the Assembly to conclude its consideration of agenda item 162?

It was so decided.

Agenda item 163

Observer status for the GUUAM in the General Assembly

Report of the Sixth Committee (A/58/524)

The President: The Assembly will now take a decision on the draft resolution recommended by the Sixth Committee in paragraph 7 of its report.

The Sixth Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 58/85).

The President: May I take it that it is the wish of the Assembly to conclude its consideration of agenda item 163?

It was so decided.

Agenda item 164

Observer status for the East African Community in the General Assembly

Report of the Sixth Committee (A/58/525)

The President: The Assembly will now take a decision on the draft resolution recommended by the Sixth Committee in paragraph 7 of its report.

The Sixth Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 58/86).

The President: May I take it that it is the wish of the Assembly to conclude its consideration of agenda item 164?

It was so decided.

Agenda item 128

Administration of justice at the United Nations

Report of the Sixth Committee (A/58/521)

The President: The Assembly will now take a decision on the draft resolution recommended by the Sixth Committee in paragraph 6 of its report.

The Sixth Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to adopt the draft resolution?

The draft resolution was adopted (resolution 58/87).

The President: May I take it that it is the wish of the Assembly to conclude its consideration of agenda item 128?

It was so decided.

Agenda item 19

Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (A/58/23 (Parts I, II and III))

Reports of the Secretary-General (A/58/66 and A/58/171)

Draft resolutions (A/58/23 (Part III), chapter XII, section G, para. 7), (A/58/L.21)

The President: I will suspend the meeting for five minutes to allow delegations to change personnel for the next series of agenda items.

The meeting was suspended at noon and resumed at 12.05 p.m.

The President: I call on the Rapporteur of the Special Committee, Mr. Fayssal Mekdad of the Syrian Arab Republic, to introduce the Committee's report and the draft resolution contained in part III, chapter XII, section G, paragraph 7 of the report of the Special Committee. I hope that he will be heard in silence.

Mr. Mekdad (Syrian Arab Republic), Rapporteur of the Special Committee: It is a great honour for me to inform the General Assembly of our pride, Sir, in having you personally as President of the Assembly. I know how dear to you and close to your heart this item is. It is no secret that the issue of decolonization enjoyed broader support and assistance during your chairmanship of the Committee of 24 some years ago. I thank you for that commitment, which is ongoing through all of us.

The General Assembly is beginning its consideration of agenda item 19 on the question of the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. As the Rapporteur of the Special Committee on decolonization, I have the honour to present the report of the Committee on its activities during the year 2003.

The report is contained in document A/58/23 and consists of three parts.

Part I of the report provides information on the history and organization of the Committee and gives a general description of the matters on its agenda and its interaction with other United Nations bodies and intergovernmental, non-governmental and regional organizations. A review of the work of the Committee during the year 2003 can also be found in Part I of the report.

Projections for the future work of the Committee in the year 2004, subject to the approval of the General Assembly, are contained in section J of part I. I would like to draw the Assembly's particular attention to that section of the report.

Part II of the report contains information on the activities of the Committee according to the items on its agenda. It gives an account of the Special Committee's deliberations on such issues as the dissemination of information on decolonization; the question of sending visiting missions to the Territories; economic and other activities that affect the interests of the peoples of the Non-Self-Governing Territories; the implementation of the Declaration by the specialized agencies and international institutions; and information transmitted under Article 73 *e* of the United Nations Charter. That part of the report also presents a brief summary of the Special Committee's deliberations

related to the 16 remaining Non-Self-Governing Territories.

Part III of the report contains the recommendations of the Committee in the form of draft resolutions.

The year under review was a productive year for the Special Committee on decolonization. For the first time in history, the Committee held its seminar in a Non-Self-Governing Territory, Anguilla, for which we are thankful both to the Government of the United Kingdom and to the Government of the Territory of Anguilla.

In 2003, the Special Committee continued to be guided by the goals set up for the Second International Decade for the Eradication of Colonialism and its plan of action. The Committee concentrated its efforts on those actions that need to be taken by the administering Powers, by the Territories and by the Committee itself in order to implement the objectives of the Decade and to move forward towards a complete eradication of colonialism.

The report states that the Committee has focused its attention on political, economic and social developments in the Non-Self-Governing Territories. In that respect, the Committee attaches great importance to the participation of representatives from the Territories, as well as non-governmental organizations and experts, in its annual session in June 2003.

The report underlines that the Special Committee continues to pay special attention to developing productive relationships with the administering Powers. To that end, the Committee has undertaken further efforts to intensify dialogue and improve interaction with them. The report notes the continuation of fruitful meetings of the representatives of New Zealand and Tokelau and confirms the readiness of the United Nations Development Programme to finance a study on the self-determination options for that Territory.

The report also notes that the United Kingdom and the United States have continued their informal contacts with the Special Committee and that both administering Powers have expressed their intention to maintain those contacts in the future. The participation of the representatives of the United Kingdom in the seminar in Anguilla considerably enriched that forum. In 2004, the Special Committee intends to continue to seek closer cooperation with all administering Powers and hopes to enjoy their formal participation in its work.

The annex to chapter II of part I of the report contains information on the Caribbean Regional Seminar, which was held in the Non-Self-Governing Territory of Anguilla in May 2003. In addition to the novelty of being held in a Non-Self-Governing Territory, this year's Seminar had a more focused agenda devoted to advancing the decolonization process in the Caribbean and Bermuda. The Seminar was attended by a number of chief ministers from the Non-Self-Governing Territories. It provided a mutually beneficial opportunity for a direct interaction and exchange of views between the members of the Committee and the representatives of the administering Power and the Territories.

Part II of the report of the Special Committee presents an account of its deliberations of the issues on its agenda related to the individual Territories. During the period under review, the Committee continued to pay special attention to political, economic and social developments in the small island Territories and followed the situations in American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, the Turks and Caicos Islands and the United States Virgin Islands, as well as Tokelau and New Caledonia.

The report also reflects the consideration by the Special Committee of the question of the Falkland Islands (Malvinas), Gibraltar, the question of Western Sahara and the decision concerning Puerto Rico.

The consideration of the developments in the Non-Self-Governing Territories by the Special Committee has been greatly facilitated by the working papers on each Territory prepared by the Secretariat.

In concluding my presentation of the report, I should like to express the gratitude of the Special Committee to the Secretary-General, His Excellency Kofi Annan, for his continuing unqualified support of the efforts of the Special Committee towards the eradication of colonialism. I should also like to highlight with appreciation the substantive political support and advice provided by the Department of Political Affairs, whose input has been invaluable in the work of the Committee and in the implementation of its mandate. I should equally like to refer to the excellent technical Secretariat services provided by the

Department for General Assembly and Conference Management and to wish Mr. Mohammad Sattar, the outgoing Secretary of the Special Committee, who is retiring, best wishes for the future.

The President: I call on the Vice-Chairman of the Special Committee, Mr. Bruno Rodriguez Parrilla of Cuba, to introduce draft resolution A/58/L.21.

Mr. Rodríguez Parrilla (Cuba) (*spoke in Spanish*): As the General Assembly begins its consideration of the item concerning the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, I have the honour to address the Assembly as Vice-Chairman of the Special Committee on Decolonization, on behalf of the Acting Chairman of the Committee, Mr. Bernard Tanoh-Boutchoué, who was unable to be present.

The Rapporteur of the Special Committee has already introduced the report of the Committee for the past year, contained in document A/58/23. I wish briefly to review the activities of the Special Committee and introduce the draft resolution that we will consider. At the same time, I will stress the most important areas of work of the Special Committee for the next year. Much remains to be done to conclude the decolonization process. This is the third year of the Second International Decade for the Elimination of Colonialism, and 16 Non-Self-Governing Territories remain on our programme of work.

This year, in keeping with the mandate of the Special Committee, we have examined developments in each one of the Non-Self-Governing Territories, based on the information provided by the Administering Powers pursuant to Article 73 *e* of the Charter, the working papers on each Territory, prepared by the Secretariat, and the statements made by representatives of the Territories, petitioners, non-governmental organizations and experts.

In June, the Committee adopted by consensus nine resolutions and one decision. We have continued to bring to the attention of the international community the importance of the joint activities of the Economic and Social Council and the Special Committee aimed at giving development assistance to the Territories. In July, the Economic and Social Council adopted a resolution on the implementation of the Declaration on decolonization by specialized agencies.

The regional seminars, held annually by the Special Committee in the Caribbean or the Pacific, have always been a valuable opportunity for representatives of the Territories, the Special Committee and other members of the United Nations, non-governmental organizations and various experts to exchange views and opinions and to examine various matters pertaining to the situation in the Territories.

In May, a seminar was held for the first time in one of the Non-Self-Governing Territories — Anguilla. The seminar programme is aimed at promoting the decolonization process in the Caribbean Territories and Bermuda. Direct interaction and deliberations among the participants enabled everyone — members of the Committee, representatives of the Administering Powers, Member States and of the Non-Self-Governing Territories — to understand clearly the need for all parties concerned to support, with practical and concrete measures, the common desire to achieve decolonization.

As the Assembly will recall, the Special Committee attributes great importance to the function of Administering Powers in the effective fulfilment of decolonization goals and, in that regard, has endeavoured to work in close cooperation with them. In recent years, the Special Committee has welcomed the cooperation that has characterized its relations with New Zealand. This year, the working relationship of the Special Committee with the United Kingdom and the United States, although informal, has also improved.

The Special Committee hopes to continue working with all the Administering Powers to give effect to the proposal that it formulated some time ago to prepare decolonization plans for the various Territories. In that regard, I also wish to reiterate the obligation of Member States, pursuant to the Charter, to ensure that the interests of the peoples of the Territories are borne in mind.

I wish to say a few words on the draft resolution concerning the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in document A/58/L.21. That draft resolution is along the same lines as resolution 57/140, adopted by the General Assembly at the previous session. In the preambular part, the draft resolution refers to the Second International Decade for the Elimination of Colonialism and reaffirms that the

existence of colonialism is incompatible with the Charter, the Universal Declaration of Human Rights and the 1960 Declaration on decolonization. It reaffirms the Special Committee's resolve to achieve the complete and rapid elimination of colonialism. The draft resolution reaffirms also the General Assembly's support for the aspirations of peoples under colonial domination to exercise their right to self-determination, including independence, in keeping with United Nations resolutions on decolonization.

It urges the Administering Powers to conclude, before the end of 2004, a constructive programme of work, case by case, for the Non-Self-Governing Territories, with the aim of facilitating fulfilment of the mandate of the Special Committee and resolutions on decolonization, including those relating to specific territories. In that context, in operative paragraph 7, the Assembly welcomes the consultations taking place between the Special Committee and the representatives of the Government of New Zealand and the people of Tokelau, with the view to carrying forward the programme of work on the question of Tokelau.

Paragraph 8 contains provisions on the Special Committee's programme of work for the coming year. The Assembly asks the Committee to formulate specific proposals to put an end to colonialism, to review the implementation of relevant resolutions by Member States, to follow the political, economic and social situations of Non-Self-Governing Territories, to conclude by the end of 2004 a constructive programme of work on a case-by-case basis for the Non-Self-Governing Territories, to continue sending visiting missions, to carry out seminars in order to garner support worldwide for the decolonization process and, finally, to mark annually the Week of Solidarity with the Peoples of Non-Self-Governing Territories.

Some paragraphs of the draft resolution refer expressly to the economic activities and the exploitation of natural resources of the Territories. They call on Member States and specialized agencies to give moral and material support to the peoples of the Territories, and request Administering Powers to use bilateral and multilateral assistance to strengthen the economy of those Territories.

The draft resolution reiterates that visiting United Nations missions are an effective instrument for learning about the situation in the Territories, urges the Administering Powers to facilitate those missions and urges those Administering Powers that have not participated officially in the work of the Special Committee to do so at its 2004 session.

Finally, the draft resolution asks the Secretary-General, specialized agencies and other agencies of the United Nations system to lend economic and social assistance to the Territories and to continue doing so once those Territories have exercised their right to self-determination, including independence.

The text of the draft resolution before the Assembly has been prepared with the participation of interested delegations in a spirit of cooperation. I appeal to all delegations to favourably consider the recommendations contained in the draft resolution, so that the Special Committee on decolonization can maintain and enhance the momentum it gained at the last session to put an end to colonialism in the world.

In fulfilment of the mandate conferred on it by the General Assembly, the Special Committee proposes in the coming year to intensify its activities to conclude the decolonization process in the remaining Non-Self-Governing Territories. Furthermore, it proposes to expand its cooperation with the administering Powers and provide assistance to the peoples of the Territories with a view to finding lasting and mutually acceptable solutions to the remaining problems.

Before concluding, I would like, on behalf of all the members of the Special Committee, to thank the Secretary-General for the valuable substantive and technical support given to us by the Secretariat over the year.

The President: I should like to inform members that the General Assembly will take action on draft resolutions under agenda item 19 after all the reports of the Special Political and Decolonization Committee (Fourth Committee) have been considered.

Reports of the Special Political and Decolonization Committee (Fourth Committee)

The President: The General Assembly will now consider the reports of the Special Political and Decolonization Committee (Fourth Committee) on agenda items 81 to 90, 12 and 19.

I request the Rapporteur of the Special Political and Decolonization Committee, Mr. Damien Cole of Ireland, to introduce in one intervention the reports of the Special Political and Decolonization Committee.

Mr. Cole (Ireland), Rapporteur of the Special Political and Decolonization Committee (Fourth Committee): It is a great privilege and honour for me to introduce to the General Assembly the reports of the Special Political and Decolonization Committee (Fourth Committee) submitted under agenda items 81 to 90, as well as items 12 and 19. These reports, contained in documents A/58/470 to A/58/480, include the texts of draft resolutions and decisions recommended to the General Assembly for adoption. For the convenience of delegations, a checklist prepared by the Secretariat of voting in the Special Political and Decolonization Committee (Fourth Committee) is contained in A/C.4/58/INF/3.

During this first part of the fifty-eighth session of the General Assembly, the Fourth Committee held a total of 24 formal meetings. The Committee continued its practice of having an informal interactive meeting under agenda item 85, "Comprehensive review of the whole question of peacekeeping operations in all their aspects". An open-ended working group established by the Committee under item 82, "International cooperation in the peaceful uses of outer space", also held a number of informal meetings.

During that stage of its work, the Special Political and Decolonization Committee adopted 23 draft resolutions and two draft decisions, of which 10 draft resolutions and both draft decisions were adopted without a vote.

The first report, submitted under agenda item 81, "Effects of atomic radiation", is contained in document A/58/470. The Fourth Committee considered the report of the United Nations Scientific Committee on the Effects of Atomic Radiation (UNSCEAR), as contained in document A/58/46. The draft resolution submitted under that agenda item is contained in paragraph 7 of the report of the Fourth Committee.

In the draft resolution, the General Assembly would, among other things, request UNSCEAR to continue its work and to report to the General Assembly on its review of the important problems in the field of ionizing radiation. The United Nations Environment Programme is urged to review and strengthen the present funding of UNSCEAR, so that it can discharge the responsibility and mandate entrusted to it. On behalf of the Fourth Committee, I recommend the adoption of that draft resolution by the General Assembly.

The second report, submitted under agenda item 82, "International cooperation in the peaceful uses of outer space", is contained in document A/58/471. During its consideration of the item, the Fourth Committee held a number of informal meetings of an open-ended working group, chaired by the delegation of Chile. The working group formulated the draft resolutions contained in paragraph 14 of the report.

In the first draft resolution, the General Assembly would, among other things, endorse the report of the Committee on the Peaceful Uses of Outer Space and urge States that have not yet done so to become parties to the five treaties governing the uses of outer space. The General Assembly would also urge States, in particular those with major space capabilities, to actively contribute to the goal of preventing an arms race in outer space, as an essential condition for the promotion of international cooperation in the peaceful uses of outer space.

In the second draft resolution contained in that report, the Assembly would decide to conduct a review of the progress made in implementing the recommendations of the Third United Nations Conference on the Exploration and Peaceful Uses of Outer Space (UNISPACE III). The review would be conducted in plenary meeting in October 2004 under a separate agenda item, entitled "Review of the implementation of the recommendations of the Third United Nations Conference on the Exploration and Peaceful Uses of Outer Space".

The third report of the Committee, submitted under agenda item 83, "United Nations Relief and Works Agency for Palestine Refugees in the Near East", is contained in document A/58/472. The Fourth Committee considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, contained in document A/58/13 and Add.1, as well as the report of the Working Group on the Financing of UNRWA and other relevant reports by the Secretary-General. Under this item, the Committee adopted five draft resolutions related to various aspects of the work of the United Nations Relief and Works Agency for Palestine Refugees in the Near East. Their adoption, in place of the customary seven resolutions, would ensure the continuation of the important functions of UNRWA in alleviating the sufferings of the Palestine refugees, while streamlining the work of the Fourth Committee on this question. Those draft resolutions are contained

in paragraph 32 of the report. The Fourth Committee recommends the adoption of the draft resolutions to the General Assembly.

The fourth report, submitted under agenda item 84, "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories", is contained in document A/58/473. The Fourth Committee considered the report of the Special Committee concerning the protection and promotion of the human rights of the Palestinian people and other Arab inhabitants of the occupied territories, as well as other reports by the Secretary-General submitted under that item. In the course of the debate on that item, the activities of the Special Committee were widely supported by many States, although some delegations expressed concern about the work of the Special Committee.

Under that item, after due deliberation, the Fourth Committee adopted five draft resolutions, which can be found in paragraph 25 of its report. The Fourth Committee recommends the draft resolutions to the General Assembly for adoption.

The fifth report, relating to agenda item 85, "Comprehensive review of the whole question of peacekeeping operations in all their aspects", is contained in document A/58/474. The Fourth Committee heard a comprehensive introductory statement by the Under-Secretary-General for Peacekeeping Operations, Mr. Jean-Marie Guéhenno, and held a general debate under that item. It also held informal interactive discussions with the Under-Secretary-General and other senior officials of the Department of Peacekeeping Operations. Many of the issues raised during the general debate and the interactive discussions will be further considered by the Special Committee on Peacekeeping Operations at its forthcoming session early next year.

The sixth report, submitted under agenda item 86, "Questions relating to information", is contained in document A/58/475. The Fourth Committee considered the report submitted by the Committee on Information (A/58/21) and the report of the Secretary-General (A/58/175). The Under-Secretary-General for Communications and Public Information, Mr. Shashi Tharoor, delivered a comprehensive introductory statement and responded to questions raised by delegations during the general debate on the ongoing and fundamental reorientation of the focus and structure of the Department of Public Information at Headquarters and in the field. The Fourth Committee adopted, without a vote, two draft resolutions and one draft decision, which are contained in paragraphs 10 and 11 of the report.

In draft resolution A, the Assembly would urge Member States, inter alia, to enhance regional efforts and cooperation among developing countries, as well as cooperation between developed and developing countries; and to strengthen communication capacities and improve the media infrastructure and communication technology in the developing countries, especially in the areas of training and dissemination of information.

In draft resolution B, the Assembly would, among other things, welcome the restructuring of the Department of Public Information, encourage the Secretary-General to continue its reorientation, emphasize the importance of multilingualism and endorse the new programmatic priorities of the Department.

Here, I would like to draw the attention of delegates to a technical change in the draft resolution. In paragraph 82 of the draft resolution, at the end of page 16 of the English version of the report, the words "main part of its fifty-eighth session" at the end of the paragraph, should be changed to, "twenty-sixth session of the Committee on Information".

The draft decision would also appoint Saint Vincent and the Grenadines, Suriname and Switzerland members of the Committee on Information, increasing its membership to 102. The Special Political and Decolonization Committee recommends that the General Assembly adopt both draft resolutions and the draft decision.

With regard to the cluster of items on Non-Self-Governing Territories and the Declaration on the Granting of Independence to Colonial Countries and People, agenda items 87, 88, 89, 90, 12 and 19, the Fourth Committee considered these items together. The Committee had one single general debate on the cluster of items and heard one representative and 13 petitioners from various Non-Self-Governing Territories. Under these items, the General Assembly has before it five reports.

The report submitted under agenda item 87, "Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations", is contained in document A/58/476. The draft resolution submitted under this item appears in paragraph 7 of the report. The Fourth Committee recommends it to the General Assembly for adoption.

The report relating to agenda items 88, "Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories", is contained in document A/58/477. Under this item, the Fourth Committee adopted one draft resolution entitled "Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories", contained in paragraph 7 of the report. The Fourth Committee recommends this draft resolution and the draft decision to the General Assembly for adoption.

The report relating to agenda item 89, "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations", and item 12, "Report of the Economic and Social Council", is contained in document A/58/478. In paragraph 7 of the report, the Fourth Committee recommends one draft resolution to the General Assembly for adoption.

The report relating to agenda item 90, "Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories", is contained in document A/58/479. Under this item, the Fourth Committee recommends one draft resolution, which is contained in paragraph 6 of the report, for adoption by the General Assembly.

The report submitted under agenda item 19, "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples", is contained in document A/57/480, which contains the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to specific territories not covered by other agenda items.

In this context, the Fourth Committee adopted four draft resolutions and one draft decision. The draft resolutions on the "Question of Western Sahara"; "Question of New Caledonia"; "Question of Tokelau"; the consolidated omnibus draft resolution concerning the 11 territories; as well as the draft decision on the "Question of Gibraltar" all were adopted without a vote by the Fourth Committee.

Here, I should like to pay tribute to the spirit of cooperation that prevailed in the Committee after lengthy consultations on the question of Western Sahara. The four draft resolutions are contained in paragraph 25 of the report, and the draft decision is contained in paragraph 26. The Fourth Committee recommends that the General Assembly adopt those draft resolutions and the draft decision.

Before concluding, I should like to recall the high level of cooperation prevailing in the Special Political and Decolonization Committee. Though the work of the Committee was prolonged an additional week in order to enable it to reach a successful conclusion, the Committee was able to fulfil the mandate entrusted to it by the Assembly and to complete its work effectively and constructively.

I should like also to express, on behalf of the Bureau of the Fourth Committee, our profound appreciation to those delegations that coordinated the efforts on the consolidation of the draft resolutions adopted by the Committee. I should like also to thank all delegations that participated in our efforts to reach consensus on many draft resolutions and decisions.

I should like to pay particular tribute here to the Chairman of the Fourth Committee, Mr. Enrique Loedel of Uruguay, whose knowledge and experience in multilateral forums, enhanced by his consummate diplomatic skills, enabled the Committee to consider in depth all the agenda items allocated to it by the General Assembly, and whose focus and determination greatly facilitated our deliberations on a number of sensitive issues. This was particularly important given the wide-ranging and often difficult issues assigned to this Committee. Other members of the Bureau, namely Ms. Jasna Ognjanovac of Croatia, Mr. Ibrahim Assaf of Lebanon, and Mr. Isaac Lamba of Malawi, with whom I had the pleasure of working, have also contributed greatly to the successful conclusion of the work of the Fourth Committee.

I should like also to place on record our appreciation for the excellent assistance provided by Mr. Saijin Zhang, the Secretary of the Committee, Ms. Christa Giles and the very competent team from the Secretariat. It is thanks to their efforts that the work of the Committee always proceeded smoothly and in an

atmosphere of genuine cordiality and efficiency. We are very grateful to them for ensuring that we were able to complete our work successfully.

I now have the honour to submit to the General Assembly for its consideration and adoption the recommendations of the Special Political and Decolonization Committee set out in the reports contained in documents A/58/470 to A/58/480.

The President: If there is no proposal under rule 66 of the rules of procedure, I shall take it that the General Assembly decides not to discuss the reports of the Special Political and Decolonization Committee which are before the Assembly today.

It was so decided.

The President: Statements will therefore be limited to explanations of vote.

The positions of delegations regarding the recommendations of the Special Political and Decolonization Committee have been made clear in the Committee and are reflected in the relevant official records.

May I remind members that, under paragraph 7 of decision 34/401, the General Assembly agreed that,

> "When the same draft resolution is considered in a Main Committee and in plenary meeting, a delegation should, as far as possible, explain its vote only once, that is, either in the Committee or in plenary meeting, unless that delegation's vote in plenary meeting is different from its vote in the Committee."

May I remind delegations that, also in accordance with General Assembly decision 34/401, explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Before we begin to take action on the recommendations contained in the reports of the Special Political and Decolonization Committee, I should like to advise representatives that we are going to proceed to take decisions in the same manner as was done in the Special Political and Decolonization Committee, unless the Secretariat is notified to the contrary in advance.

This means that where recorded votes were taken, we will do the same. I should also hope that we will proceed to adopt without a vote those recommendations that were adopted without a vote in the Special Political and Decolonization Committee.

Agenda item 81

Effects of atomic radiation

Report of the Fourth Committee (A/58/470)

The President: The Assembly will now take a decision on the draft resolution recommended by the Special Political and Decolonization Committee in paragraph 7 of its report.

The Special Political and Decolonization Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 58/88).

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 81?

It was so decided.

Agenda item 82

International cooperation in the peaceful uses of outer space

Report of the Fourth Committee (A/58/471)

The President: The Assembly will now take a decision on the two draft resolutions recommended by the Special Political and Decolonization Committee in paragraph 14 of its report.

Draft resolution I is entitled "International Cooperation in the Peaceful Uses of Outer Space". The Special Political and Decolonization Committee adopted draft resolution I without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution I was adopted (resolution 58/89).

The President: Draft resolution II is entitled "Review of the implementation of the recommendations of the Third United Nations Conference on the Exploration and Peaceful Uses of Outer Space".

The Special Political and Decolonization Committee adopted draft resolution II without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution II was adopted (resolution 58/90).

The President: I call on the representative of Thailand, who wishes to speak in explanation of position following the adoption of the draft resolution.

Mr. Chindawongse (Thailand): In July 1999, the United Nations held its Third Conference on the Exploration and Peaceful Uses of Outer Space (UNISPACE III), which set out a series of important and far-reaching recommendations. Having participated in that Conference, Thailand subsequently joined some of the action teams established to implement the recommendations of UNISPACE III. Those include action teams on disaster management and on knowledge-sharing through the promotion of universal access to space-based communication services.

Furthermore, Thailand also co-organized in November 2002, with the Economic and Social Commission for Asia and the Pacific, the Committee on Earth Observation Satellites, the European Space Agency and France the second United Nations Regional Workshop in Bangkok on the Use of Space Technology for Disaster Management. Last September, Thailand also hosted in Bangkok a United Nations workshop on the contribution of space communication technology to bridging the digital divide.

With regard to matters related to the remote sensing of the Earth via satellite, including applications for developing countries and the monitoring of the Earth's environment, Thailand is also cooperating with a number of countries under the planned disaster-monitoring constellation. It is also worth mentioning that the Thailand ground receiving station has been providing satellite data to a number of countries in the region.

Those activities reflect Thailand's interest and readiness to participate actively and fully in the work of the Committee on the Peaceful Uses of Outer Space. It is therefore our fervent hope that the resolution on international cooperation in the peaceful uses of outer space (A/58/471), which was just adopted without a vote, will pave the way for the future enlargement of the Committee, taking into account the principle of equitable geographical distribution as well as previous work and accomplishments in the field. In so doing, we also hope that such enlargement would not preclude any interested State, including Thailand, from presenting its case to serve the Committee as a full member in the near future.

Furthermore, with the adoption of the resolution on the review of UNISPACE III, adopted without a vote, Thailand welcomes the decision made by the Assembly to conduct the review at its fifty-ninth session. Thailand looks forward to participating actively in that review.

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 82?

It was so decided.

Agenda item 83

United Nations Relief and Works Agency for Palestine Refugees in the Near East

Report of the Special Political and Decolonization Committee (Fourth Committee) (A/58/472)

The President: The Assembly will now take a decision on the five draft resolutions recommended by the Special Political and Decolonization Committee in paragraph 32 of its report.

After all the votes have been taken, representatives will again have the opportunity to explain their vote. We turn to draft resolution I entitled "Assistance to Palestine refugees".

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic,

Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Israel

Abstaining:

Cameroon, Honduras, Marshall Islands, Micronesia (Federated States of), Palau, Papua New Guinea, Tuvalu, United States of America

Draft resolution I was adopted by 167 votes to 1, with 8 abstentions (resolution 58/91).

[Subsequently, the delegations of Somalia and Uganda informed the Secretariat that they had intended to vote in favour.]

The President: Draft resolution II is entitled "Persons displaced as a result of the June 1967 and subsequent hostilities".

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Israel, Marshall Islands, Micronesia (Federated States of), Palau, United States of America

Abstaining:

Honduras, Papua New Guinea, Rwanda

Draft resolution II was adopted by 168 votes to 5, with 3 abstentions (resolution 58/92).

[Subsequently, the delegations of Somalia and Uganda informed the Secretariat that they had intended to vote in favour; the delegation of Nauru informed the Secretariat that it had intended to abstain.]

The President: Draft resolution III is entitled "Operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East".

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Comoros, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Israel, Marshall Islands, Micronesia (Federated States of), Palau, United States of America

Abstaining:

Burundi, Cameroon, Costa Rica, El Salvador, Honduras, Nicaragua, Papua New Guinea, Rwanda

Draft resolution III was adopted by 162 votes to 5, with 8 abstentions (resolution 58/93).

[Subsequently, the delegation of Somalia informed the Secretariat that it had intended to vote in favour; the delegations of Nauru and Uganda informed the Secretariat that they had intended to abstain.]

The President: Draft resolution IV is entitled "Palestine refugees' properties and their revenues".

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France,

Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Israel, Marshall Islands, Micronesia (Federated States of), Palau, United States of America

Abstaining:

Cameroon, Honduras, Papua New Guinea, Rwanda

Draft resolution IV was adopted by 164 votes to 5, with 4 abstentions (resolution 58/94).

[Subsequently, the delegations of Somalia and Uganda informed the Secretariat that they had intended to vote in favour; the delegation of Nauru informed the Secretariat that it had intended to abstain.]

The President: Draft resolution V is entitled "Assistance to Palestine refugees and support for the United Nations Relief and Works Agency for Palestine Refugees in the Near East".

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahamas, Bangladesh, Barbados, Belarus, Belgium, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Kazakhstan, Lao People's Democratic Republic, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Madagascar, Maldives, Mali, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Samoa, San Marino, Senegal, Serbia and Montenegro, Singapore, Slovakia, Slovenia, Solomon Islands, Spain, Sri Lanka, Swaziland, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Tonga, Trinidad and Tobago, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Zambia, Zimbabwe

Against:

None

Abstaining:

Bahrain, Belize, Brunei Darussalam, Burkina Faso, Burundi, China, Comoros, Cuba, India, Jordan, Kenya, Kuwait, Lebanon, Libyan Arab Jamahiriya, Malaysia, Mauritania, Mauritius, Morocco, Myanmar, Nauru, Oman, Pakistan,

Qatar, Saint Lucia, Saudi Arabia, South Africa, Sudan, Suriname, Syrian Arab Republic, Tunisia, Turkey, Tuvalu, United Arab Emirates, United Republic of Tanzania, Yemen

Draft resolution V was adopted by 133 votes to none, with 35 abstentions (resolution 58/95).

[Subsequently, the delegations of Honduras, Nauru and Uganda informed the Secretariat that they had intended to vote in favour; the delegations of Algeria, Bangladesh, Benin, Botswana, Democratic People's Republic of Korea, Djibouti, Egypt, Guinea, Guinea-Bissau, Indonesia, Islamic Republic of Iran, Lesotho, Maldives, Namibia, Nepal, Niger, Nigeria, Somalia and Togo informed the Secretariat that they had intended to abstain.]

The President: The Assembly has thus concluded this stage of its consideration of agenda item 83.

Agenda item 84

Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

Report of the Special Political and Decolonization Committee (Fourth Committee) (A/58/473)

The President: The Assembly has before it five draft resolutions recommended by the Special Political and Decolonization Committee in paragraph 25 of its report.

We now turn to draft resolution I, entitled "Work of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories".

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Algeria, Angola, Armenia, Azerbaijan, Bahrain, Bangladesh, Belarus, Belize, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cape Verde, Chile, China, Colombia, Comoros, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Ecuador, Egypt, Gabon, Gambia, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Morocco, Mozambique, Myanmar, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Philippines, Qatar, Saint Lucia, Saudi Arabia, Senegal, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, United Arab Emirates, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Australia, Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America

Abstaining:

Albania, Andorra, Antigua and Barbuda, Argentina, Austria, Bahamas, Belgium, Bhutan, Bosnia and Herzegovina, Bulgaria, Burundi, Cameroon, Canada, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, El Salvador, Equatorial Guinea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Kazakhstan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Mexico, Monaco, Mongolia, Netherlands, New Zealand, Nicaragua, Norway, Papua New Guinea, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Vincent and the Grenadines, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Tonga, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Uzbekistan

Draft resolution I was adopted by 87 votes to 7, with 78 abstentions (resolution 58/96).

[Subsequently the delegation of Uganda informed the Secretariat that it had intended to abstain.]

The President: Draft resolution II is entitled, "Applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem, and the other occupied Arab territories".

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America

Abstaining:

Cameroon, Honduras, Papua New Guinea, Rwanda

Draft resolution II was adopted by 164 votes to 6, with 4 abstentions (resolution 58/97).

[Subsequently the delegation of Uganda informed the Secretariat that it had intended to vote in favour.]

The President: Draft resolution III is entitled, "Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem and the Occupied Syrian Golan".

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Comoros, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives,

Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America

Abstaining:

Australia, Cameroon, Costa Rica, Dominican Republic, El Salvador, Guatemala, Honduras, Nicaragua, Papua New Guinea, Rwanda, Solomon Islands, Tonga, Tuvalu

Draft resolution III was adopted by 156 votes to 6, with 13 abstentions (resolution 58/98).

[Subsequently the delegation of Uganda informed the Secretariat that it had intended to abstain.]

The President: Draft resolution IV is entitled, "Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem".

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Comoros, Côte d'Ivoire, Croatia, Cuba, Cyprus, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Ghana, Greece, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America

Abstaining:

Albania, Australia, Cameroon, Costa Rica, Czech Republic, Dominican Republic, El Salvador, Georgia, Germany, Guatemala, Honduras, Nicaragua, Papua New Guinea, Peru, Rwanda, Solomon Islands, Tonga, Tuvalu, United Kingdom of Great Britain and Northern Ireland

Draft resolution IV was adopted by 150 votes to 6, with 19 abstentions (resolution 58/99).

[Subsequently the delegation of Uganda informed the Secretariat that it had intended to vote in favour.]

The President: Draft resolution V is entitled "The Occupied Syrian Golan".

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Israel

Abstaining:

Cameroon, Equatorial Guinea, Honduras, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, Rwanda, Tonga, Tuvalu, United States of America

Draft resolution V was adopted by 163 votes to 1, with 11 abstentions (resolution 58/100).

[Subsequently the delegation of Uganda informed the Secretariat that it had intended to abstain.]

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 84?

It was so decided.

Agenda item 85

Comprehensive review of the whole question of peacekeeping operations in all their aspects

Report of the Special Political and Decolonization Committee (Fourth Committee) (A/58/474)

The President: May I take it that the General Assembly wishes to take note of the report of the Special Political and Decolonization Committee (Fourth Committee) contained in document A/58/474?

It was so decided.

The President: The General Assembly has thus concluded this stage of its consideration of agenda item 85.

Agenda item 86

Questions relating to information

Report of the Special Political and Decolonization Committee (Fourth Committee) (A/58/475)

The President: The Assembly will now take a decision on the draft resolution recommended by the

Special Political and Decolonization Committee in paragraph 10 of its report and on the draft decision recommended by the Committee in paragraph 11 of its report.

The draft resolution entitled, "Questions relating to information" is in two parts; part A is entitled "Information in the service of humanity", and part B is entitled "United Nations public information policies and activities" and has been orally revised.

The Special Political and Decolonization Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to adopt the draft resolution as orally revised?

The draft resolution was adopted (resolution 58/101 A and B).

The President: We now turn to the draft decision entitled, "Increasing the membership of the Committee on Information". The Special Political and Decolonization Committee adopted the draft decision without a vote. May I take it that it is the wish of the General Assembly to do the same?

The draft decision was adopted.

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 86?

It was so decided.

Agenda item 87

Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations

Report of the Special Political and Decolonization Committee (Fourth Committee) (A/58/476)

The President: The Assembly will now take a decision on the draft resolution recommended by the Special Political and Decolonization Committee in paragraph 7 of its report.

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Albania, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

None

Abstaining:

Angola, France, Israel, Micronesia (Federated States of), United Kingdom of Great Britain and Northern Ireland, United States of America

The draft resolution was adopted by 163 votes to none, with 6 abstentions (resolution 58/102).

[Subsequently, the delegation of Uganda informed the Secretariat that it had intended to vote in favour.]

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 87?

It was so decided.

Agenda item 88

Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories

Report of the Special Political and Decolonization Committee (Fourth Committee) (A/58/477)

The President: The Assembly will now take a decision on the draft resolution recommended by the Special Political and Decolonization Committee in paragraph 7 of its report.

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Israel, United States of America

Abstaining:

France, Micronesia (Federated States of), United Kingdom of Great Britain and Northern Ireland

The draft resolution was adopted by 164 votes to 2, with 3 abstentions (resolution 58/103).

[Subsequently, the delegation of Uganda informed the Secretariat that it had intended to vote in favour.]

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 88?

It was so decided.

Agenda item 89 and agenda item 12 (*continued*)

Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations

Report of the Economic and Social Council

Report of the Special Political and Decolonization Committee (Fourth Committee) (A/58/478)

The President: The Assembly will now take a decision on the draft resolution recommended by the Special Political and Decolonization Committee in paragraph 7 of its report.

The draft resolution is entitled "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations".

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Tuvalu, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

None

Abstaining:

Albania, Andorra, Armenia, Austria, Azerbaijan, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kazakhstan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia (Federated States of), Monaco, Netherlands, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tajikistan, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

The draft resolution was adopted by 116 votes to none, with 55 abstentions (resolution 58/104).

[Subsequently, the delegation of Uganda informed the Secretariat that it had intended to vote in favour.]

The President: I call on the representative of Antigua and Barbuda, who wishes to explain his vote on the resolution just adopted.

Mr. Lewis (Antigua and Barbuda): My delegation voted in favour of the resolution because it serves as the continuing legislative mandate for the wider United Nations system to provide support for the Non-Self-Governing Territories. The Economic and Social Council continues to adopt a similar resolution on this issue.

In that connection, we are pleased to note that a number of United Nations bodies have specific provisions within their rules of procedure to provide such assistance, including the United Nations Educational, Scientific and Cultural Organization, the Food and Agriculture Organization of the United Nations, the World Meteorological Organization and the United Nations regional commissions. The United Nations Development Programme is to be especially commended for its effective coordination of assistance from the wider United Nations system. We call on other United Nations bodies to follow suit by reviewing and adjusting their mandate to provide a

mechanism for assisting Non-Self-Governing Territories in their development process, consistent with the extensive mandate of the General Assembly.

We are concerned that the number of reports on the implementation of this resolution requested from United Nations bodies continues to be insufficient. We call on the agencies concerned to respond to the request of the Secretary-General to report on their assistance to the Territories.

Finally, it is regrettable that this important resolution has carried a number of abstentions in the General Assembly and in the Economic and Social Council. We are hopeful that future consultations will yield consensus on a streamlined companion text that would garner the full support of the General Assembly, consistent with the critical role of the wider United Nations system in providing assistance to the Non-Self-Governing Territories.

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 89?

It was so decided.

The President: The Assembly has concluded this stage of its consideration of agenda item 12.

Agenda item 90

Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories

Report of the Special Political and Decolonization Committee (Fourth Committee) (A/58/479)

The President: The Assembly will now take a decision on the draft resolution recommended by the Special Political and Decolonization Committee in paragraph 6 of its report.

The Special Political and Decolonization Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 58/105).

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 90?

It was so decided.

Agenda item 19 (*continued*)

Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Report of the Special Political and Decolonization Committee (Fourth Committee) (A/58/480)

Note verbale from Saint Kitts and Nevis (A/58/601)

The President: The Assembly will now take a decision on the four draft resolutions recommended by the Special Political and Decolonization Committee in paragraph 26 of its report and on the draft decision recommended by the Committee in paragraph 27 of the same report.

Draft resolution I is entitled "Question of New Caledonia".

The Special Political and Decolonization Committee adopted draft resolution I without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution I was adopted (resolution 58/106).

The President: Draft resolution II is entitled "Question of Tokelau".

The Special Political and Decolonization Committee adopted draft resolution II without a vote. May I take it that Assembly wishes to likewise?

Draft resolution II was adopted (resolution 58/107).

The President: Draft resolution III is entitled "Questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, the Turks and Caicos Islands and the United States Virgin Islands".

The draft resolution is in two parts. Part A is entitled "General"; part B is entitled "Individual Territories".

The Special Political and Decolonization Committee adopted draft resolution III without a vote. May I take it that Assembly wishes to likewise?

Draft resolution III was adopted (resolution 58/108).

The President: Draft resolution IV is entitled "Question of Western Sahara".

The Special Political and Decolonization Committee adopted draft resolution IV without a vote. May I take it that Assembly wishes to do the same?

Draft resolution IV was adopted (resolution 58/109).

The President: We now turn to the draft decision entitled "Question of Gibraltar".

The Special Political and Decolonization Committee adopted the draft decision without a vote. May I take it that Assembly wishes to do the same?

The draft decision was adopted (decision 58/526).

The President: I should now like to draw the attention of the General Assembly to document A/58/601, which contains a note verbale dated 12 November 2003 from the Permanent Mission of Saint Kitts and Nevis to the United Nations addressed to the President of the General Assembly.

By this note verbale, the Permanent Mission of Saint Kitts and Nevis to the United Nations advises me of the interest of Saint Kitts and Nevis in becoming a member of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

As delegations are aware, pursuant to General Assembly resolution 1654 (XVI) of 27 November 1961, members of the Special Committee are nominated by the President of the General Assembly.

After consultations with regional groups, I have nominated Saint Kitts and Nevis as a member of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

May I take it that the Assembly takes note of this nomination?

It was so decided.

The President: The Assembly has thus concluded this stage of its consideration of agenda item 19.

The Assembly has thus concluded its consideration of all the reports of the Special Political and Decolonization Committee (Fourth Committee) before it.

Agenda item 19 (*continued*)

Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Draft resolutions (A/58/23 (Part III), chapter XII, section G, para. 7, A/58/L.21)

The President: We shall now proceed to consider the draft resolution contained in Part III, chapter XII, section G, paragraph 7, of document A/58/23 and draft resolution A/58/L.21.

I now call on the representative of the United States, who wishes to speak in explanation of vote before the voting. May I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Mr. Gilman (United States of America): Regrettably, the United Sates cannot support the draft resolution on implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. By adopting a narrow definition of decolonization, the draft resolution fails to take into account the complex reality of Non-Self-Governing Territories. For the United States, the very term "non-self-governing" seems inappropriate for those who can establish their own constitution, elect their own public officers, have representation in Washington and choose their own economic path.

The United States fully supports countries that choose independence, and we are proud to welcome them as equal and sovereign partners. However, not all Territories choose independence, and we equally support their right to a full measure of self-government, including the rights to integration and free association. The world encompasses a wide variety of people, places and political circumstances. That richness does not allow for just one path. The United States believes that a single standard should be applied to every Territory, and we call upon Member States to respect the choices that are made by residents of Non-Self-Governing Territories.

In conclusion, we look forward to a significant dialogue with the Committee of 24 in 2004, and it is

our hope that all parties will cooperate so that a reduction in the number of Non-Self-Governing Territories can be achieved.

The President: We have heard the only speaker in explanation of vote before the voting.

The Assembly will take a decision on the draft resolution entitled "Dissemination of information on decolonization", contained in Part III, chapter XII, section G, paragraph 7, of the report of the Special Committee.

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Ukraine, United Arab Emirates, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Israel, United Kingdom of Great Britain and Northern Ireland, United States of America

The draft resolution was adopted by 162 votes to 3 (resolution 58/110).

The President: The Assembly will now take a decision on draft resolution A/58/L.21, entitled "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples".

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, France, Gambia, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Qatar, Republic of Korea, Republic of Moldova,

Romania, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Turkey, Turkmenistan, Tuvalu, Ukraine, United Arab Emirates, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Albania, Belgium, Estonia, Finland, Georgia, Germany, Israel, Micronesia (Federated States of)

Draft resolution A/58/L.21 was adopted by 154 votes to 2, with 8 abstentions (resolution 58/111).

[Subsequently, the delegations of Portugal and Uganda informed the Secretariat that they had intended to vote in favour; the delegations of France, Italy and the Netherlands had intended to abstain.]

The President: I shall now call on those representatives who wish to speak in explanation of vote on the resolution just adopted. May I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Mr. Pisa (United Kingdom): I should like to explain the United Kingdom's votes on the resolutions on dissemination of information on decolonization and on implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. As Members will have seen, the United Kingdom voted against both of those resolutions.

With regard to the resolution on dissemination of information on decolonization, the United Kingdom remains of the view that the obligation that that text places on the Secretariat to publicize decolonization issues represents an unwarranted drain on the scarce resources of the United Nations. The resolution is, therefore, unacceptable to the United Kingdom. The United Kingdom also continues to find some elements of the text of the resolution on the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to be unacceptable. However, despite our negative votes on those resolutions, the United Kingdom remains committed to modernizing its relationship with the overseas Territories, taking fully into account the views of the peoples of those Territories and continuing to further the process of informal dialogue with the Special Committee of 24 on decolonization over the coming year.

Mr. Lewis (Antigua and Barbuda): My delegation voted in favour of the resolution on the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, because of its importance in reiterating the relevance of the principles of self-determination and decolonization to the remaining Non-Self-Governing Territories, in particular, the small island Territories in the Caribbean and the Pacific.

We take particular note of the reference in operative paragraph 8 calling for implementation of actions approved by the General Assembly regarding the First and Second International Decades for the Eradication of Colonialism. In this connection, we are pleased with the insertion in the proposed programme budget for Political Affairs for 2004-2005 of an added indicator of achievement, namely, the effectiveness of research and analytical studies and reports on conditions in the Territories, and the effectiveness of publicity campaigns.

Information derived from these studies would be critical to the understanding of the often complex nature of the situation on the ground in the Territories themselves, if we are to make informed decisions in this Assembly to bridge the democratic deficit which is inherent in even the most benevolent of colonial models. Accordingly, we call on the Department of Political Affairs to ensure that it carries out this unimplemented mandate by arranging for the completion of these important studies and analyses.

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 19?

It was so decided.

Agenda item 40 (*continued*)

Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance

(e) Assistance to the Palestinian people

Draft resolution (A/58/L.33)

The President: I should like to inform members that due to the late hour, action on draft resolution A/58/L.33, under agenda item 40 (e) will be taken at a later date.

The meeting rose at 1.35 p.m.

United Nations A/58/PV.73

General Assembly
Fifty-eighth session

Official Records

73rd plenary meeting
Wednesday, 10 December 2003, 10.05 am
New York

President: The Hon. Julian R. Hunte ..... (Saint Lucia)

The meeting was called to order at 10.05 a.m.

Agenda item 48

Fifty-fifth anniversary of the Universal Declaration of Human Rights

Award of human rights prizes in 2003

Agenda item 117

Human rights questions

(d) Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action

Tenth anniversary of the adoption of the Vienna Declaration and Programme of Action

The President: I declare open the commemorative meetings devoted to the observance of the fifty-fifth anniversary of the Universal Declaration of Human Rights and the tenth anniversary of the adoption of the Vienna Declaration and Programme of Action, under agenda items 48 and 117 (d).

Today is Human Rights Day. Yet, on this Day, when we celebrate our entitlement to human rights and fundamental freedoms, countless incidents of human rights abuses will occur around the world.

On Human Rights Day, civilians will continue to be targeted as combatants in war and conflict; refugees and displaced persons will continue to number in the millions; violence against women and children will remain pervasive; human beings will continue to be trafficked into prostitution and slavery; people will continue to be subjected to torture and arbitrary detention; religious intolerance will continue to be a fact of life for many; countries and regions will continue to be ravaged by deadly diseases such as HIV/AIDS; and inequalities in the global economic system will continue to subject hundreds of millions to poverty and misery, particularly in the developing world.

Grave human rights problems, however, must not hinder us from celebrating, on this Human Rights Day, the progress we have made, for indeed it is a day of special significance for the peoples of the world. On this day in 1948, the Universal Declaration of Human Rights proclaimed the rights of all humankind and became the centrepiece of our human rights endeavours. It was, then, as it is now, a noble vision and a beacon of hope, calling nations, societies and individuals to work towards the common goal of enjoyment by all of civil, political, economic, social and cultural rights.

Having as a firm foundation the rights enshrined in the Declaration, the obligations arising from the human rights Covenants and other international and regional human rights instruments, and international and regional human rights institutions and mechanisms, we have made important progress in the field of human rights. The inalienable right of all peoples and human

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beings to the full range of human rights, including freedom, equality, dignity, social justice, self-determination and the right to be democratically governed, is today unquestionable. Those who violate those rights must know that they cannot expect to do so with impunity.

If there is a group to which I would make particular reference on this Human Rights Day, it is the children — our future, and our best hope for a world in which human rights and fundamental freedoms are truly respected and protected. Children's rights are set out in the International Convention on the Rights of the Child. We must live up to these standards to provide decent life chances for every child, even as we promote among children the ideals of human rights and fundamental freedoms.

If we are to build a universal culture of human rights — and I believe that we must — we must begin with the children. Human rights education must be an integral aspect of the education we give our children. Education and learning, however, is a lifetime process, as is living together in peace. The time has come, therefore, to include human rights education in the curriculums of our primary and secondary schools, and in all our institutions of learning. For it is through human rights education that we will inculcate and reinforce respect, tolerance and friendship, and bring about the realization and protection of human rights across the globe.

However, to live up to our commitments to promote and protect human rights and fundamental freedoms requires us to do much more. We must commit ourselves to uphold the ideals of the United Nations Charter and the Universal Declaration of Human Rights and to implement human rights instruments and standards through our parliaments, the courts and national human rights institutions.

It is important that we act decisively over the full range of issues impacting the enjoyment of human rights and fundamental freedoms today. The United Nations and the international community as a whole are challenged to devise solutions to seemingly intractable conflicts and war, in the wake of which massive violations of human rights occur. We must strive for a more equitable global economic system, so as to eradicate poverty and hunger. We must cooperate in confronting grave pandemics, such as HIV/AIDS. And we must be particularly vigilant in respect of the rights of vulnerable groups, including women and children.

The exemplary persons and organizations who are today recipients of the 2003 United Nations Prize in the Field of Human Rights, given on this fifty-fifth anniversary of the Universal Declaration of Human Rights, are strong advocates for international cooperation and for the promotion and protection of human rights. But today's six awardees, among them the very respected late Sergio Vieira de Mello, have been much more. They have been people of action and strong defenders of the rights of humankind, whether in the area of disabilities, peace and security or the equality of men and women. They come from all parts of the world. They encourage and inspire us, both with their words and their deeds.

It is my pleasure to commend and pay tribute to the awardees on this Human Rights Day, a day that affords us the opportunity to recommit ourselves to building a world in the image of the Universal Declaration of Human Rights. We must embrace this opportunity for the mobilization of conscience around the Universal Declaration of Human Rights and the international human rights instruments, to renew our pledge to fight against injustices and gross violations of human rights, wherever they occur, and to strengthen our resolve to intensify international cooperation for the universal realization of human rights and fundamental freedoms.

The Assembly will now begin the ceremony for the award of the United Nations Prizes in the Field of Human Rights for 2003. In accordance with General Assembly resolution 2217 (XXI) of 19 December 1966, six prizes are to be awarded this year to individuals and organizations that have made outstanding contributions to the promotion and protection of human rights and fundamental freedoms.

The award recipients are the following.

Ms. Enriqueta Estela Barnes de Carlotto of Argentina is the President of the Association of Plaza de Mayo Grandmothers, which was established in 1977 in response to the forced or involuntary disappearance of hundreds of children following the military coup in Argentina in 1976. At that time, many children were either abducted with their parents or born in clandestine detention centres for young pregnant women. In addition to locating missing and kidnapped children and restoring them to their rightful families,

Ms. Barnes de Carlotto and the Association have been advocating the rights of the child at both the national and the international levels, so that these abhorrent violations of children's rights will not be repeated.

The Family Protection Project Management Team of Jordan leads a groundbreaking initiative that has helped to lift the taboo on the subject of domestic violence and promote open debate on issues of human rights, equity and gender. The Team of seven men and five women, representing both government and non-governmental organizations, has been responsible for the development and implementation of the Project, which takes a truly holistic, preventative and inclusive approach to tackling the root causes of domestic violence. The Team has also developed a social justice partnership model to address domestic violence in other countries and is providing a useful learning experience for nations around the world.

Ms. Shulamith Koenig of the United States of America is the Executive Director of the People's Movement for Human Rights Education, which she founded in 1988 with the goal of creating a global human rights culture. To that end, Ms. Koenig worked tirelessly and successfully to have the United Nations declare a Decade for Human Rights Education, and has since supported the Decade through the organization of workshops in over 60 countries to promote critical thinking about human rights education as a strategy for human, social and economic development. Most recently, Ms. Koenig initiated the Human Rights Cities project, which is supported by the United Nations Development Programme and will develop 30 human rights cities and train 500 young community leaders as human rights educators, thereby strengthening democracy as a delivery system for human rights.

The Mano River Women's Peace Network of West Africa is a network of women's organizations from Sierra Leone, Liberia and Guinea, established in May 2000 in response to the deteriorating security situation in the West African region. The network has brought an effective, multi-dimensional, coordinated and regional approach to the struggle for human rights aimed at restoring peace and ensuring that women's voices are included at all levels of the decision-making process. In addition to grassroots projects such as the demobilization and reintegration of child soldiers, the Network has been an effective advocate at the highest levels of Government, successfully bringing the heads of State of their three countries back to the negotiating table in 2001 and was a delegate, mediator and signatory to the Liberian peace talks in August 2003.

Mr. Deng Pufang of China founded the China Disabled Persons' Federation in 1988 to act as an international advocate for the rights of persons with disabilities, and is now the Director of the Federation. Mr. Deng's advocacy has significantly improved the living standards and status of persons with disabilities in China. His most significant achievements include the establishment of the China Welfare Fund for the Handicapped in 1984, which now assists over 15 million disabled people on low incomes, and the enactment of China's first law aimed at the protection and promotion of the human rights of persons with disabilities. Mr. Deng has also been instrumental in bringing international attention to the rights of the disabled, and is a strong supporter of the elaboration of an international convention on the rights of persons with disabilities.

A special posthumous award is being given to the late United Nations High Commissioner for Human Rights, Mr. Sergio Vieira de Mello of Brazil. He held many other high-level positions within the United Nations, including, most recently, Special Representative of the Secretary-General in Iraq. He served the United Nations cause tirelessly for more than 30 years, and was killed on duty in Iraq, along with 21 of his United Nations colleagues, on 19 August 2003. Mrs. Annie Vieira de Mello will accept the award on his behalf.

I will now present the awards. I kindly and respectfully request delegations to reserve their applause until the last award has been presented.

I call to the podium Ms. Enriqueta Estela Barnes de Carlotto.

At the request of the President, Ms. Enriqueta Estela Barnes de Carlotto was escorted to the podium.

The President: On behalf of the United Nations, I present you this award in recognition of your outstanding contributions to the promotion and protection of human rights and fundamental freedoms.

I now call to the podium the representative of the Family Protection Project Management Team.

At the request of the President, the representative of the Family Protection Project Management Team was escorted to the podium.

The President: On behalf of the United Nations, I present you this award in recognition of your outstanding contributions to the promotion and protection of human rights and fundamental freedoms.

I now call to the podium Ms. Shulamith Koenig.

At the request of the President, Ms. Shulamith Koenig was escorted to the podium.

The President: On behalf of the United Nations, I present you this award in recognition of your outstanding contributions to the promotion and protection of human rights and fundamental freedoms.

I now call to the podium the representative of the Mano River Women's Peace Network.

At the request of the President, the representative of the Mano River Women's Peace Network was escorted to the podium.

The President: On behalf of the United Nations, I present you this award in recognition of your outstanding contributions to the promotion and protection of human rights and fundamental freedoms.

I now call to the podium Mr. Deng Pufang.

At the request of the President, Mr. Deng Pufang was escorted to the podium.

The President: On behalf of the United Nations, I present you this award in recognition of your outstanding contributions to the promotion and protection of human rights and fundamental freedoms.

I now call to the podium Mrs. Annie Vieira de Mello.

At the request of the President, Mrs. Annie Vieira de Mello was escorted to the podium.

The President: On behalf of the United Nations, I present you this award in recognition of the outstanding contributions made by your husband, Mr. Sergio Vieira de Mello, to the promotion and protection of human rights and fundamental freedoms.

It is my honour to present to the Assembly the winners of the United Nations Prizes in the Field of Human Rights for 2003.

May I request representatives to remain seated while I escort the recipients of the awards.

Before I give the floor to those on the list to speak this morning, I wish to recognize the presence of Mr. Bertrand Ramcharan, the Acting High Commissioner for Human Rights, who continues to give sterling service, and to wish him all the best as he continues to strive to do yeoman service in this most difficult field. Please give Mr. Ramcharan a round of applause.

The General Assembly will now continue the commemorative meeting.

Mr. De Rivero (Peru) (*spoke in Spanish*): On behalf of the Rio Group, I should like to pay a tribute to my friend, Sergio Vieira de Mello, for his dedication and sacrifice to promote mankind. We would also like to congratulate the recipients of the prizes, which constitute recognition for work done to promote and protect human rights and fundamental freedoms.

"All human beings are born free and equal in dignity and rights." That is the basic premise proclaimed, on 10 December 1948, in the Universal Declaration of Human Rights adopted at the fourth session of the General Assembly. The equality of humanity is thus the basic principle on which is founded the humane treatment of every homo sapiens, regardless of culture, ethnicity, religion, gender or political thought. The Second World Conference on Human Rights, held in Vienna in 1993, universally reinforced that premise and that principle.

A positive normative current to protect those rights was initiated with the adoption of the Universal Declaration of Human Rights. The International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights were adopted. Both legal instruments, among others, determined the universal, indivisible and interdependent nature of all human rights.

That positive normative current in favour of human rights led the international community to work on many normative instruments on human rights relating to such specific topics as women and children, among others, that provide us with a broad framework for action and pull together principles that are likewise universal and interdependent.

In the same vein, we have recently seen significant progress made in this Assembly in the

effective defence of human rights through the penalization of crimes against humanity and with the entry into force of the Rome Statute of the International Criminal Court, in which it is recognized that human rights justice has no borders and that it is necessary to combat impunity and violations of human rights globally.

The international community is currently calling for the creation of new international instruments to promote the human rights of disabled persons and to prevent the forced disappearance of people. Moreover, wide consensus has been reached on the importance of answering new threats, such as terrorism, with measures that are congruent with international obligations on human rights.

In this context, the States members of the Rio Group believe that human rights are a universal, indivisible, interdependent and interrelated group of rights that must be approached and enjoyed without discrimination, selectivity or arbitrariness, and with objectivity. We are making an effort to fulfil in a continuous, permanent and transparent way the obligations arising from the various United Nations human rights instruments. We therefore attach great importance to cooperation mechanisms on this matter, since they provide a way to progress in the long term towards respect for and the protection and promotion of human rights.

To that end, the Governments and societies of the Rio Group attach great importance to democracy as an essential instrument to achieve respect for and protection and universal promotion of the human rights, fundamental freedoms and economic and social rights of all people. It is difficult to promote and protect human rights without democracy. This leads us to the conclusion that there can be no effectively valid indivisibility of human rights without democracy.

The States members of the Rio Group are aware that progress was made in the twentieth century in the protection and promotion of human rights and fundamental freedoms. Nevertheless, we are also conscious that there is still a long way to go in the twenty-first century towards putting into practice many basic principles contained in the international instruments of the United Nations on human rights. That long road should be travelled through the practice of democracy and the strengthening of international cooperation to promote and protect human rights.

Fifty-five years after the adoption of the Universal Declaration of Human Rights, there are still many populations in the world unable to exercise their civil and political rights. Likewise, half of the global population survives on less than $2 a day, millions of children die every day from preventable diseases, and armed conflicts dominate the reality of many countries, causing massive violations of the human rights of the civil population, particularly by illegal armed groups. In many societies, immigrants are discriminated against and their fundamental rights and freedoms are not respected. More than 1.2 billion people live in precarious and subhuman conditions, with no access to medical attention or education. That situation is unacceptable in the twenty-first century to those who are committed to promoting the effective enjoyment of all human rights without discrimination.

The right to development is also a fundamental human right of individuals and peoples. The United Nations recognized that right in its declaration of 1986. This leads us to the conclusion that there can be no development without human rights. Thus, if they are to reach a significant level of development, people must be able to enjoy their rights.

The Rio Group understands that the exercise of the right to development is not limited to mere economic growth, but involves, above all, a change in the quality of life of the majority of the world's population and is tied closely to the combination of internal and external factors that require corrective actions within and outside States, with cooperation from the international community.

For those reasons, the countries of the Rio Group attach fundamental importance to poverty eradication and to changing the quality of life of peoples through attainment of the consensual Goals of the Declaration of the Millennium Summit, of Agenda 21 and of the Monterrey and Johannesburg Summits. All those Summits reflect nothing less than the broad United Nations consensus in which developing countries' internal policies converge with developed countries' policies of cooperation to improve the quality of life of the world's inhabitants in the twenty-first century, and therefore to ensure human rights.

In conclusion, on the occasion of the celebration of the fifty-fifth anniversary of the Universal Declaration of Human Rights and the tenth anniversary of the Vienna Declaration and Programme of Action,

the Rio Group here reaffirms its commitment to protecting and promoting human rights and fundamental freedoms, not only as a moral imperative, but also as the foundation of freedom and justice for all human beings. In that context, social and economic progress are indispensable conditions to achieve dignity for all.

Mr. Muñoz (Chile) (*spoke in Spanish*): I have the honour to speak on behalf of the members of the Convening Group of the Community of Democracies, composed of the Czech Republic, India, the Republic of Korea, Mali, Mexico, Poland, Portugal, South Africa, the United States of America and my own country, Chile. Italy, Peru and Romania, special guests of the Convening Group, also align themselves with this statement.

The Community of Democracies was created in June 2000 at a ministerial conference in Warsaw, Poland, where more than 100 countries committed themselves to promoting the democratic principles adopted in the Warsaw Declaration. At its Second Ministerial Conference, held in the Republic of Korea in November 2002, the Community adopted the Seoul Plan of Action, in which it reaffirmed, inter alia, its members' commitment to promoting, protecting and respecting human rights — civil, political, economic, social and cultural — as essential elements of democracy.

At its most recent ministerial meeting, held at United Nations Headquarters, the Convening Group stressed the support of the Community of Democracies for the purposes and principles of the Charter of the United Nations, for the Universal Declaration of Human Rights and for the fundamental principles of international law. The ministerial meeting also emphasized the interdependence of peace, development, human rights and democracy, and it reaffirmed a commitment to the continuous development of democracy at the regional and global levels.

Today, the convening countries of the Community of Democracies join in the commemoration of Human Rights Day on the occasion of the fifty-fifth anniversary of the Universal Declaration of Human Rights and the tenth anniversary of the adoption by the World Conference on Human Rights, held in 1993, of the Vienna Declaration and Programme of Action on human rights.

On this occasion, we recall the commitment of the States members of the Community of Democracies to full implementation of the Vienna Declaration and Programme of Action. We also reaffirm the interdependence of peace, development, human rights and democracy. Furthermore, the members of the Convening Group today recall the commitment of the Community of Democracies to cooperating on democracy-related issues with and within the framework of the United Nations system and other international and regional organizations.

In that context, we welcome the Secretary-General's decision to convene a high-level panel as well as other ongoing efforts to reform the multilateral system. We shall continue to cooperate with all States committed to promoting democracy.

Mr. Spatafora (Italy): I have the honour to take the floor on behalf of the European Union. The acceding countries Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia, the candidate countries Bulgaria, Romania and Turkey, and the countries of the Stabilization and Association Process and potential candidates Albania, Bosnia and Herzegovina, Croatia, Serbia and Montenegro and The former Yugoslav Republic of Macedonia declare that they align themselves with this statement.

First, I should like to express our most sincere congratulations to the individuals and organizations who today received the United Nations Prize in the Field of Human Rights. Through their courage, dedication and commitment, they represent with honour the work of countless actors in advancing the cause of human rights in their own countries and internationally. In particular, I should like to pay sincere tribute once again to the memory of the late High Commissioner for Human Rights, Sergio Vieira de Mello, whose dedication set an example for us all.

The important anniversaries that we celebrate today represent, more than ever before, an occasion to reflect on our human rights achievements and to reaffirm our commitment to the goal of realizing human rights for all, in part by addressing our own shortcomings.

Over the past 55 years, humanity has made extraordinary progress in the promotion and protection of human rights thanks to the creative force generated by the Universal Declaration of Human Rights.

undoubtedly one of the most influential documents in history. The Declaration was the fruit of much reflection on the rights to which everyone on the planet is entitled — simply by virtue of being human — and on our duties towards one another. It is a remarkable document full of idealism, but also of determination to learn lessons from the past and not to repeat the same mistakes. Most important, it placed human rights at the centre of the framework of principles and obligations shaping relations within the international community. Indeed, the Universal Declaration of Human Rights has stimulated intensive legislative activity at both the national and international levels that has resulted in a complex legal and institutional system of bodies, conventions and international instruments of various legal values. Many new procedural and institutional mechanisms have also been created, including international tribunals and courts. In that respect, the European Union would like to highlight the importance of the recent election of the judges and prosecutor of the International Criminal Court as a further step towards ending impunity and giving substance and effectiveness to the rights enshrined in the Declaration.

That process has led to considerable achievements: freedom and democracy are enjoyed by more people today than at any time in history. At both the national and international levels, there has been an increase in institutions to promote and safeguard human rights.

In that context, and in connection with today's celebration, the European Union would like to underline the role of national institutions for the promotion and protection of human rights. The European Union also reiterates the strength and continuing validity of the Paris Principles as a framework to guide the work of those institutions while guaranteeing their independence. In particular, we note the significant increase in the number of national human rights institutions in every region of the world and their efforts to achieve full compliance with the Paris Principles. We also appreciate the fact that in recent years more and more people have come to know of the existence of those Principles. Such visibility enhances the work of national institutions and contributes to strengthening the effectiveness of all human rights.

One of the most significant achievements in the human rights field over the past 55 years has been the legitimization of the concept that human rights — civil and political, as well as economic, social and cultural — are universal and indivisible. That principle, reaffirmed and expanded by the 1993 World Conference on Human Rights in Vienna and adopted by consensus, has committed the international community to treating human rights "globally in a fair and equal manner, on the same footing, and with the same emphasis" (*A/CONF.157/23, para. 5*). By proclaiming that "All human rights are universal, indivisible and interdependent and interrelated" (*Ibid.*), the Vienna Declaration and Programme of Action reaffirmed and renewed all efforts to strengthen and further implement the body of human rights instruments built on the basis of the Universal Declaration of Human Rights.

In addition, the recognition in the Vienna Declaration of the interdependence between democracy, development and human rights set the stage for cooperation among Governments, international organizations and national agencies in the promotion of all human rights. In that respect, the European Union reiterates its support of the reform efforts of the Secretary-General, including the mainstreaming of human rights into all policies and programmes of the United Nations system. Indeed, human rights are a crucial dimension of several issues — humanitarian aid, conflict prevention and resolution, and development. Recognition of that truth can only improve the effectiveness of the United Nations family as a whole.

In that context, the Vienna Declaration and Programme of Action has played a crucial role in recognizing the ongoing need for the United Nations human rights machinery to keep in step with the ever-changing requirements in the promotion and protection of human rights. That includes the strengthening and harmonizing of its monitoring capacity.

A crucial step in that direction was the recommendation to establish a High Commissioner for Human Rights. The European Union would like to recall and commend the invaluable work performed by Mr. José Ayala-Lasso, Mrs. Mary Robinson and Mr. Sergio Vieira de Mello, who served their terms with great vision and leadership. We also appreciate the field presence of the Office of the High Commissioner for Human Rights and encourage the Office, the funds and the programmes present around the world to reinforce their cooperation. The European Union actively supports the work of the Office and calls for strengthening its resources, especially for treaty bodies

support and special procedures. The European Union also looks forward to the appointment of the new High Commissioner.

Those achievements notwithstanding, a great deal remains to be done. We are all aware that violations of human rights take place everywhere. At this very moment, in many parts of the world there are people who are unjustly deprived of their freedom; people who are tortured; human rights defenders who are being silenced, imprisoned and killed; women who are abused; children who are exploited, trafficked or sent to war; millions of refugees and internally displaced persons who cannot return to their homes; minorities who are excluded if not persecuted and elderly people who are abandoned. As long as those affronts to humankind persist, we cannot be satisfied with the progress achieved. What we need, first and foremost, is the determination, the courage and the ability to ensure respect for the existing body of specific obligations in the human rights instruments.

Let me assure the General Assembly of the firm commitment of the European Union and its member States, acceding countries, candidate countries and potential candidates. We represent, here, a group of 33 countries and as such, a firm commitment to ensure respect for human rights. We expect other States to do likewise.

The obligation to respect human rights is unconditional. Human rights belong to each and every person, no matter what he or she may have done, no matter what crime they may have or are believed to have committed. The European Union believes that efforts to combat terrorist acts should respect human rights, fundamental freedoms and humanitarian law, and that the fight against terrorism should be carried out in accordance with international human rights law, as defined in the relevant instruments.

The European Union is founded on the principles and values of the Universal Declaration of Human Rights, which guides both its internal policies and its external relations. In that light, we reiterate our commitment to strengthening the international system for the promotion and protection of human rights and to cooperating with international human rights mechanisms. We will continue to seek dialogue with other countries on human rights issues, both bilaterally and within the framework of international organizations. We will continue to support Governments and civil society, including non-governmental organizations, in their efforts in the field of human rights.

The 10th of December 2003 is the culmination of many anniversaries that remind us of the promises originally set forth in the Universal Declaration and subsequently reinforced in the Vienna Declaration and Programme of Action — promises, I would add, that are still unfulfilled. The European Union strongly believes that the United Nations will continue to play a central role in that regard, as a forum for dialogue, further improvements in international standards, scrutiny of the human rights performance of Member States, and assistance to countries in living up to their human rights obligations.

Finally, let me say that for human rights to be respected, a culture of human rights has to be deeply rooted worldwide. Education, in particular human rights education, is crucial. In a world in which everybody knows his or her rights, in which Governments and individuals are held accountable for their actions, the chance for human rights to prevail will significantly improve. Let us continue to work, with coherence and consistency, towards that goal.

Mr. Pfanzelter (Austria): As representative of the country that hosted the World Conference on Human Rights in 1993, it is a very special privilege to speak today on the implementation of the Vienna Declaration and Programme of Action. It goes without saying that my delegation fully associates itself with the statement of the representative of Italy, Ambassador Marcello Spatafora, who has so eloquently spoken on behalf of the European Union.

Let us remember today that the Vienna Declaration and Programme of Action, adopted 10 years ago, outlined a vision for global action for human rights. Recognizing the principles of universality, indivisibility, interdependence and interrelatedness, it marked the beginning of a new era of international, regional, and national cooperation aimed at strengthening and implementing the body of human rights instruments that had been constructed on the foundation of the Universal Declaration of Human Rights. We are proud, indeed, that Austria hosted that landmark conference.

The validity and pertinence of the Vienna Declaration and Programme of Action remain undiminished. We are grateful that the General

Assembly decided last year to devote today's plenary meeting also to the commemoration of the tenth anniversary of the adoption of the Vienna Declaration and Programme of Action. In its decision the General Assembly invited Member States to provide specific contributions on this occasion.

In that context I would like to inform you of the results of an international symposium on the role of judges in the promotion and protection of human rights and fundamental freedoms, held in Vienna on 24 November 2003. The symposium was organized on the initiative of the Austrian Minister for Foreign Affairs, Mrs. Benita Ferrero-Waldner, and the United Nations High Commissioner for Human Rights, in cooperation with the United Nations Office on Drugs and Crime. It was chaired by the Acting High Commissioner for Human Rights, Mr. Bertrand Ramcharan, and attended by high-ranking representatives of governmental and non-governmental organizations, as well as eminent judges and experts.

The symposium adopted the "Vienna Declaration on the Role of Judges in the Promotion and Protection of Human Rights and Fundamental Freedoms", which contains specific recommendations for Governments, international organizations and non-governmental organizations, as well as concrete proposals with regard to conflict and post-conflict situations. The Vienna Declaration has been published as a document of the General Assembly and the Security Council (A/58/618-S/2003/1145).

Participants at the symposium concluded that training is an important tool to assist judges in fulfilling their role as human rights defenders. We must ensure that all members of the judiciary receive comprehensive and continuing training on international and regional human rights standards and humanitarian law, including specialized gender and child rights training. We also need to ensure a transparent and independent process for the selection and promotion of judges at all levels without discrimination of any kind, based on objective criteria, and that all courts and members of the judiciary are provided with adequate resources to exercise their functions in a professional and impartial manner. A new recommendation emanating from the symposium is the establishment of two appropriate consolidated international databases: one containing case law and court rulings relevant to human rights law and the other, aiming to facilitate the exchange of information on projects and concrete action undertaken in the field of human rights.

In this context let me recall that the Vienna Declaration and Programme of Action had already clearly stated that

> "an independent judiciary and legal profession in full conformity with applicable standards contained in international human rights instruments, are essential to the full and non-discriminatory realization of human rights and indispensable to the processes of democracy and sustainable development" (*A/CONF.157/23, para. 27*).

Judges are frontline actors in the protection of human rights. Indeed, the more precarious the human rights situation in a country, the more exposed and vulnerable judges are. The international community must therefore give full support to judges so that they can maintain their integrity, impartiality and independence.

Mr. Kuchinsky (Ukraine): At the outset let me join you and all previous speakers in congratulating the winners of this year's Human Rights Awards. An advocate for the disappeared, a defender of the disabled, a human rights educator, a taboo-lifting protection team and a women's peace-building network — everyone has worked hard in promoting various human rights and together, they have helped to protect universal human rights.

It is very sad, indeed, to honour the United Nations High Commissioner for Human Rights by a special posthumous award, instead of welcoming Sergio here, in this Hall, alive and full of energy and optimism, the way we all knew him. In paying tribute to the memory of Sergio Vieira de Mello, we also remember the other hundreds of thousands of human rights defenders, as well as the millions who were victims of gross human rights violations. History testifies to the fact that some of humanity's bravest lessons emerge only after the greatest tragedies.

The Universal Declaration of Human Rights took shape in a world ravaged by the horrors of totalitarianism and fascism, by Holocaust and Holodomor.

Recently here at the United Nations, and throughout the world, we observed a sad anniversary of the Great Famine of 1932-1933 in Ukraine — the

Holodomor — one of the most tragic events in the history of my country and, I believe, in the history of humankind. Just 15 years before the adoption of the Universal Declaration of Human Rights, the totalitarian Soviet regime killed 7 to 10 million Ukrainians, a figure that can be compared with the population of an average European country today.

The Great Famine that engulfed Ukraine in 1932-1933 was the result of Joseph Stalin's policy of forced collectivization. This dreadful famine was accompanied by devastating purges of the Ukrainian intelligentsia, religious leaders and politicians. It broke the peasants' will to resist collectivization and left Ukraine politically, socially and psychologically traumatized. Unfortunately, back in 1933, the world did not respond to our tragedy. The international community believed the cynical propaganda of the Soviet Union, which was selling bread abroad while in Ukraine, hunger was killing 17 people each minute.

The price for denying that crime was very high. When it was clear that Stalin had gotten away with such massive genocide in Ukraine, Hitler felt free to proceed with the Holocaust. During a long period of time, the totalitarian regime kept its horrors in the shadow of the Iron Curtain.

I would like to draw the attention of delegates to the fact that it is only today, after 70 years, that the world has started to learn the truth about the Great Famine in Ukraine. This year the joint statement on the seventieth anniversary of Holodomor, now signed by 36 delegations and supported by 27 other Member States, has been issued as an official document of the General Assembly (A/C.3/58/9).

In that declaration, for the first time in the history of the United Nations, Holodomor has been officially recognized as a national tragedy of the Ukrainian people, caused by the cruel actions and policies of the totalitarian regime. Representatives of States from different parts of the world expressed sympathy to the victims of Holodomor and deplored the acts and policies that brought about mass starvation and the deaths of millions of people. From this rostrum I would like to express our gratitude to all delegations that have signed the Joint Statement and expressed their support and solidarity.

We in Ukraine are also grateful to the Senates of Argentina, Australia and Canada, the United States House of Representatives and the Parliament of Hungary for adopting this year their own documents on the Great Famine. Some of them have clearly pointed out that the Holodomor was one of the most terrible examples of genocide in the history of humankind.

We find it symbolic that the adoption of the Universal Declaration of Human Rights was preceded by the approval by the General Assembly on 9 December 1948 of the Convention on the Prevention and Punishment of the Crime of Genocide. To a large extent, the issue of genocide becomes, in addition to a drastic human problem, a test for the efficacy of the international community in ensuring protection of human beings.

History reminds us that human rights are integral elements in ensuring human dignity and in promoting peace and security, sustainable economic development and social equality. Without genuine respect for human rights, we cannot move forward as a global community. That is why it is important to remember, as stated in paragraph 5 of the Vienna Declaration and Programme of Action on Human Rights of 1993, "All human rights are universal, indivisible and interdependent and interrelated".

But as we assess what has been accomplished, we cannot assert that the gap between aspirations and real achievements has been bridged. Unfortunately, our world is still a place where violence against national, ethnic, racial or religious groups continues, millions are uprooted from their homes and untold numbers are being arrested arbitrarily or imprisoned without trial. Sadly, we continue to live on a planet where torture is still practised, children are still being exploited and sexually abused, and women denied their fundamental human rights.

It has always been the task of the United Nations to provide a forum for diverse cultures and, at the same time, to seek the common denominator that reveals a common humanity. It is now our responsibility to strengthen the adherence of the international community to the principles of the universality, indivisibility and interdependence of human rights and translate them into reality.

Finally, I would like to recall the words of Mrs. Eleanor Roosevelt, one of the authors of the Universal Declaration of Human Rights. In my opinion, they provide a key to our daily action, and I quote:

> "Where, after all, do universal human rights begin? In small places, close to home — so close and so small that they cannot be seen on any maps of the world. Yet they are the world of the individual person; the neighbourhood he lives in; the school or college he attends; the factory, farm, or office where he works. Such are the places where every man, woman, and child seek equal justice, equal opportunity, equal dignity without discrimination. Unless these rights have meaning there, they have little meaning anywhere."

Mr. Singh (India): My delegation is pleased to participate in the debate in plenary in observance of the 55th anniversary of the Universal Declaration of Human Rights and the tenth anniversary of the adoption of the Vienna Declaration and Programme of Action.

At the outset, we would like to pay tribute to the memory of the former United Nations High Commissioner for Human Rights, the late Sergio Vieira de Mello.

The Universal Declaration proclaims that human rights are rights inherent to man and are universal. Their universality presumes the universal brotherhood of humankind. The Declaration establishes a common standard of achievement for all peoples and nations. It sets the highest standards by asserting that all people are born free and equal in dignity and rights.

As a newly independent country, India was one of the few developing countries to participate actively in the drafting of the Universal Declaration. As India's delegate, Mrs. Hansa Mehta, a social worker and disciple of Mahatma Gandhi, contributed substantially to the drafting of the Declaration, in particular in areas that deal with gender equality. The Universal Declaration served subsequently as a standard in the drafting of the chapters on fundamental rights in India's Constitution.

The present debate provides us an opportunity to review the progress achieved in the implementation of the Vienna Declaration and Programme of Action and in living up to the ideals contained in the Universal Declaration. The Universal Declaration has evolved into international law through the elaboration of the two principal Covenants and the establishment of the human rights treaty bodies. The various declarations and conventions adopted over the past five decades have marked further normative elaborations of the specific elements of the Universal Declaration. The consensus at the conclusion of the World Conference on Human Rights, held in Vienna in 1993, signalled the development of the Universal Declaration in a programmatic, action-oriented manner. In many respects, the Vienna Declaration and Programme of Action marked the broadest political consensus achieved in the area of human rights by the international community after the adoption of the Universal Declaration.

The recognition in the Vienna Declaration that democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing values provides the foundation for a genuinely holistic conception of human rights. The purpose of all development is to promote individual human rights and social justice, or in the words of the Charter, "promote social progress and better standards of life in larger freedom". Development without democracy, social justice and respect for human rights can be neither lasting nor sustainable.

Article 22 of the Universal Declaration speaks of the "national effort and international cooperation" for everyone to enjoy "economic, social and cultural rights indispensable for his dignity and the free development of his personality". We feel that this is the area where the Declaration has been the most wanting in implementation and where the greatest challenges lie. It would be useful, perhaps, to analyse why this is so. Prescriptiveness comes easier and is less expensive than engagement. Only a universalization of basic economic dignity can provide the foundation for any shared vision of universal human rights. It would be difficult to achieve universal observance of human rights among societies differentiated by gradations of affluence and want, surplus and despair.

The advocacy of human rights has been based upon an exaggerated dependence on the aspects of promotion and protection, rather than enjoyment of rights. There has been a tendency to insist that all that is needed is to set in place a framework of laws. At the international level, this has meant an ever-increasing body of conventions, protocols and other legal instruments. Unfortunately, this approach does not address the question of how individuals acquire and enjoy basic human rights. It also differentiates between the civil and political rights on the one hand and economic, social and cultural rights on the other, placing the former on a higher pedestal than the latter.

Another challenge facing us today is the need to move away from selectivity, double standards and partial approaches. We need to engage in an honest, self-critical appraisal of whether the international community has managed to effect genuine improvement in human rights through an approach characterized by the giving of report cards or by intrusive monitoring. Have countries been persuaded to improve their record of human rights simply because resolutions against them, often based on political or non-human rights considerations, have been adopted year after year in the Commission on Human Rights or in the General Assembly? On the other hand, would an approach based on dialogue, consultation and cooperation not have a better chance of success, if success were to be judged by genuine improvement in a people's enjoyment of human rights? We are convinced of the essential validity of the latter approach.

It is in this context that India stresses the importance that has to be attached to national capacity-building in the area of human rights. The Office of the United Nations High Commissioner for Human Rights can play a highly supportive role in this regard. Technical cooperation programmes by that Office could cover a broad range of activities, from assistance in acceding to international human rights instruments and amendment of national legislation, to putting in place a framework of administrative regulations and machinery for that purpose. Assistance can also be rendered for the establishment of national human rights institutions. Developing country Member States that have established such national institutions in accordance with the Paris principles could render technical assistance to other developing countries desirous of setting up their own national institutions.

The Vienna Declaration calls on the international community to take the necessary steps to enhance cooperation to prevent and combat terrorism — which is aimed at the destruction of human rights, fundamental freedoms and democracy — threatens territorial integrity and the security of States, and destabilizes legitimately constituted Governments. Unfortunately, an understanding of the broad linkage between countering terrorism and promoting human rights remains mired in suspicion and misunderstanding.

Terrorism constitutes, at the very least, a violation of article 3, on the right to life, article 19, on the freedom of opinion and expression, and articles 29 and 30, on the duties of individuals and the rights of others, of the Universal Declaration of Human Rights. It challenges the principle of freedom from fear. As a violent expression of extremism, it represents a negation of every liberal value that sustains the concept of human rights. It is an invasion of the rights of others and denial of human rights to its victims. A selective response to terrorism is itself a challenge to the universality of human rights.

At this meeting, we feel it is also important to underscore the role played by civil society, particularly non-governmental organizations, in the promotion and protection of human rights. National non-governmental organizations can play a crucial role in the protection and promotion of human rights within a country. Along with a vigilant media, they perform invaluable watchdog functions.

Recognizably, the United Nations system occupies a significant place in the Vienna Declaration and Programme of Action. Apart from the Office of the United Nations High Commissioner for Human Rights, which plays a very successful role, other elements of the United Nations system can and should contribute to the practical enjoyment of economic, social and cultural rights and the right to development. Once again, we stress that it is important to ensure that the United Nations is not perceived as promoting a partial conception of human rights, namely one modeled purely on civil and political rights.

Let us re-dedicate ourselves on this occasion to the implementation of the Vienna Declaration and Programme of Action. Let us also renew our commitment to live up to the ideals of the Universal Declaration of Human Rights.

Mr. Oyugi (Kenya): My delegation is pleased to take the floor on this auspicious occasion in which we commemorate the fifty-fifth anniversary of the Universal Declaration of Human Rights, as well as the tenth anniversary of the adoption of the Vienna Declaration and Programme of Action. We would like at the outset to convey our congratulations to all six of the winners of the Human Rights Awards presented this morning. Their devotion to the cause of human rights and humanity should serve as an inspiration to all.

My delegation attaches great importance to the Universal Declaration of Human Rights. This important document constitutes a common standard for

all peoples and all nations. It is a source of inspiration and has been the basis for United Nations standard-setting, as evidenced by existing international human rights instruments, such as the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. My delegation firmly believes that these fundamental rights and freedoms must be promoted and protected in every part of the world by the international community, as a collective responsibility of Governments, the United Nations, civil society and, indeed, all individuals in society.

The adoption of the Vienna Declaration and Programme of Action represents an important milestone in the development of international human rights norms. The Declaration builds upon the principles enshrined in the Charter of the United Nations and in the Universal Declaration of Human Rights. It calls for the promotion and encouragement of respect for human rights and fundamental freedoms for all, respect for the principles of equal rights and self-determination of peoples and of peace, democracy, justice, equality and the rule of law. It also reaffirms the right to development and calls for better standards of living and solidarity, among others things.

Regarding the implementation of the Vienna Declaration and Programme of Action, it is noteworthy that over the years there has been widespread recognition of the need to give special attention to the rights of women and girls. In virtually every part of the world, States have passed legislation and adopted policies and programmes to promote the status of women and to outlaw discrimination and violence against women.

Particularly in this regard, Kenya is in the process of setting up a National Gender and Development Commission, which will coordinate and facilitate gender mainstreaming in national development, by, among others, initiating legal reforms and formulating policies and programmes to promote gender equality. Thus, Kenya's Equality Bill of 2002 has been drafted and will be debated in parliament in due course. Once enacted, this bill will review laws and policies to promote equality and opportunity between persons of different status, set up a body to receive, investigate and conciliate allegations of discrimination, and generally work towards the elimination of all forms of discrimination.

As we mark the tenth anniversary since the adoption of the Vienna Declaration and Programme of Action, my delegation is pleased to note that reasonable progress has been made in some areas of the Programme of Action. In assessing its implementation, one very important achievement comes to mind: the elevation of economic, social and cultural rights to the same level as civil and political rights. The Vienna Declaration and Programme of Action reaffirms that "All human rights are universal, indivisible and interdependent and interrelated" (*A/CONF.157/23, para. 5*). It stresses that all human rights must be treated in a fair and equal manner, on the same footing and with the same emphasis. While much remains to be done to place the two sets of rights at par in practice, the last 10 years have seen economic, social and cultural rights gain significantly in importance.

The Vienna Declaration and Programme of Action stresses that the human person is the central subject of development and reaffirms the right to development as a universal and inalienable right and an integral part of fundamental human rights. Regrettably, little progress has been made with respect to that right. The Working Group on the Right to Development of the Commission on Human Rights has been plagued by controversy, politicization and polarization. As a result, unfortunately, the traditional resolution on the right to development, both in the Commission on Human Rights and in this Assembly, has been subjected to voting; there is thus little agreement on the way forward in implementing that right. We would therefore urge all members of the Working Group to negotiate in good faith and in a serious, open and friendly manner. Only in that way can we expect the Working Group to fulfil its mandate and contribute to the implementation of the right to development. We would also urge the Working Group to give serious consideration to the elaboration of an international instrument on the right to development.

The implementation of the Vienna Declaration and Programme of Action requires States to take concrete steps in various areas, particularly those concerning vulnerable groups. In Kenya, special attention has been given to the welfare of children, and especially the girl child, with particular emphasis on education and health. The new Government in Kenya has adopted and implemented a policy of free education for all at the primary-school level, beginning this year. Consequently, there has been a huge upsurge

in the number of children enrolled in schools. That programme has inevitably taken its toll on the resources available to the Government, but we firmly believe that its benefits will far outstrip the costs involved.

As regards health, the Government is initiating comprehensive health care reforms with a view to providing affordable and accessible health care to all. It is envisaged that this will be achieved through a projected national health insurance scheme to cover both in-patient and out-patient services. Consequently, the health sector has seen increased budgetary allocation for the current financial year.

The last two decades have seen a host of countries embrace democracy and the rule of law, thus ensuring wider participation by all members of society, especially women, in decision-making at all levels. Kenya is no exception to this, having elected a new Government in December 2002, which took over the reigns of power in a peaceful and democratic transition. Since then, the Government has, amongst other things, embarked on a platform of promotion and protection of human rights, strengthening democracy and the rule of law, and accelerating the fight against corruption. The Government and the people of Kenya have also launched a broad and dynamic consultative constitutional reform process that is designed to enhance the dignity of every citizen. That process, which is already at an advanced stage, seeks to strengthen the bill of rights to include economic, social and cultural rights in a people-driven, participatory process that involves all stakeholders.

Kenya recognizes that gross human rights violations can engender or perpetuate conflict and remains deeply concerned by the numerous armed conflicts that continue to plague countries around the world, especially in Africa. Those conflicts hinder development and accentuate poverty. All efforts in the promotion and protection of human rights will be futile without an enabling atmosphere of peace and stability within and among countries.

In that respect, Kenya continues to mediate in seeking solutions to conflicts within the subregion. We call on the international community to support these efforts in order to ensure that a lasting and durable peace is found in those countries. Only through direct involvement, sustained dialogue and support from the international community can we hope to see those conflicts finally resolved.

Mr. Baja (Philippines): It is an honour to address the General Assembly on the fifty-fifth anniversary of the Universal Declaration of Human Rights, a landmark instrument that ushered in the universal recognition of fundamental human rights. The Philippines stands in solidarity with the international community on this occasion, animated by the very same fervour as when it endorsed the Declaration in Paris 55 years ago.

The Universal Declaration came to the fore driven by the desire for peace in the aftermath of the Second World War. Today, it still symbolizes the embodiment of the same ideals of genuine peace, equality and justice for which the world continues to strive as battles and wars are still being fought, including those against new forms of threats to human security, such as terrorism, human and drug trafficking, economic conflict and transnational environmental problems.

This anniversary reminds us of the obligation to translate our pledge into action by adopting national legislation and domestic plans of action to implement international human rights instruments. It is heartening to see that many countries are making notable progress in the promotion and protection of human rights. This anniversary is also an occasion to contemplate the extent to which we have educated our peoples on human rights. There is a need to make respect for and the protection of human rights blossom within every individual.

To achieve that, we need to educate our peoples. Human rights education must be promoted comprehensively and continuously as a lifelong process if we want our gains to benefit future generations. Today's advances in information and communication technology, especially in cyberspace, present an immense opportunity to promote human rights education in all corners of the world. We must take advantage of the multiple forms of media in order to promote public awareness of human rights and disseminate their relevance and application to everyone in everyday life.

Today, we celebrate the promotion and protection of human rights. We wish to reiterate the need for the international community to work in solidarity to protect the most vulnerable groups: women, children

and migrants. The Philippines supports the promotion of and respect for the rights of women and will continue to support the efforts made by the United Nations in advancing the status of women and in mainstreaming the gender perspective through the Beijing Platform for Action and the initiatives made at the follow-up process at the Beijing + 5 review. We must work for the implementation of initiatives strengthening international cooperation and measures to address all forms of violence against women, including trafficking of women.

There is a need to renew our commitment to providing for every child a better future and to support the Convention on the Rights of the Child. In that regard, the Philippines supports initiatives that will give further momentum to the implementation of the outcome document "A World Fit for Children", consistent with the principles of the Convention. One of the most serious violations of children's rights is child trafficking, as it causes psychosocial damage to both the child and his or her family. Child trafficking is a crime that States should work against. It is perpetuated through illegal adoption, child labour, slavery and prostitution. My delegation welcomes the entry into force of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. That Convention will address the treatment, welfare and human rights of both documented and undocumented migrants. We call on the international community to increase cooperation in the promotion and enhancement of the welfare and dignity of migrant workers and to deal with the global challenge of migration.

Human rights transcend every aspect of the individual and are woven into the soul of society in all its dimensions. For those reasons, the issue of human rights is closely intertwined with the concepts of self, societal development and democracy. It would be fruitless to promote awareness of human rights without paying attention to development and democracy. We cannot turn a blind eye to the obstacles preventing the full enjoyment of human rights. The world is still plagued by incidents of human rights violations, most especially in poverty-stricken countries and in conflict areas. The international approach to promoting human rights must, therefore, be comprehensive and pragmatic.

In conclusion, the fifty-fifth anniversary of the Universal Declaration of Human Rights and the tenth anniversary of the Vienna Declaration and Programme of Action are also commemorations of our shared aspirations for freedom, dignity and respect, without distinction of any kind.

Mr. Vergne Saboia (Brazil): It is a special honour for me to take the floor, on behalf of Brazil, as the world reaffirms its commitment to human rights as a primary goal of the United Nations. I am also pleased to address this session of the General Assembly, Mr. President, which you have been guiding with such skill and competence.

I would also like to extend warm congratulations to the recipients of the Human Rights Awards this year.

I want to join other speakers in rendering a sad tribute to my compatriot and friend, Sergio Vieira de Mello, and to his many colleagues who lost their lives or were injured by the terrorist attack in Baghdad. Sergio's life of dedication to peace, human rights and humanitarian protection will remain an inspiration for us all.

Brazil associates itself with and endorses the statement made by the representative of Peru, on behalf of the Rio Group.

The Universal Declaration of Human Rights, adopted 55 years ago, remains the most important instrument, indeed the foundation, for realizing the obligations contained in the Charter of the United Nations regarding cooperation for the promotion and protection of human rights. Drafting and adopting the Universal Declaration was a major breakthrough, a difficult task to harmonize the views and notions from different cultures and legal traditions to produce a set of norms that could serve as a universal yardstick. We know the great care that Eleanor Roosevelt and her colleagues took in that work, despite the difficulties besetting a world on the brink of the cold war. The Declaration has stood the test of time, and while we pay tribute to Mrs. Roosevelt and the other drafters, it is worth recalling — as it is reminiscent of contemporary difficulties — that she left the Commission disappointed at the changed political mood that for many years impeded the drafting of an international bill of rights with mandatory legal provisions.

Ten years ago, the Vienna Declaration and Programme of Action was adopted by the consensus of 171 countries. Many thought that consensus was an

unattainable goal, given the tense political atmosphere that prevented progress during the preparatory phase. Many feared the outcome of the Conference would be a watered-down final text — a setback that could threaten progress already achieved in establishing legal standards and implementation procedures and that could jeopardize the universalization of human rights.

Despite those fears, the Vienna Declaration and Programme of Action consolidated and reinforced legal standards, monitoring mechanisms and procedures embodied in international instruments and in resolutions of the Commission on Human Rights. It called for bold new initiatives to achieve universal adoption of legal standards and strengthen national and international means to combat violations of civil, cultural, economic, political and social rights.

As Chairman of the drafting committee in Vienna, I had to take up the challenge of dissipating mistrust among delegates and conciliating those with frequently conflicting positions, so that we could arrive not only at a consensus, but achieve one that was forward-looking and meaningful. I would now like to briefly highlight some of the most important results of our work, as embodied in the Vienna Declaration and Programme of Action.

First, the universality of human rights was clearly reinforced, together with their indivisible, interdependent and interrelated character. It was affirmed that, while national, regional, historical, cultural and religious factors must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms. The promotion and protection of human rights was declared to be a legitimate concern of the international community.

Consensus was achieved, for the first time, on the right to development, which was recognized as a universal and inalienable right and an integral part of fundamental human rights. The individual was declared to be the focus of development and it was affirmed that a lack of development could not be invoked to justify the abridgement of human rights. It was further affirmed that lasting progress in establishing the right to development requires effective national policies, as well as equitable economic relations and a favourable economic environment at the international level.

Other important provisions of the Declaratio include acknowledging the interrelationship betwee democracy, human rights and developmen emphasizing that extreme poverty and social exclusio are violations of human rights and affirming th freedom from torture is a right which must be protecte under all circumstances, including in times of intern or international disturbances or armed conflicts.

The strong emphasis put on the need mainstream the rights of women within the overa human rights framework, as well as the approaches other issues such as children's rights, racism, and t rights of minorities, indigenous peoples and oth vulnerable groups, broke new ground, and were furth expanded at the specialized conferences that took pla in subsequent years.

The Vienna Declaration and Programme Action captured, in a single document, the need for integrated, comprehensive framework of standards a mechanisms, which need to be put into concert practice by all institutions at both the national a international levels. The establishment of the post High Commissioner for Human Rights, following t Vienna Conference, contributed to putting th integrated approach into practice where it was need first and foremost — within the United Nations syste itself.

At the global confere s in following yea human rights were considered together with soci economic and environmental issues, as was done at t United Nations Conference on Environment a Development, held in Rio de Janeiro in 1992. Amo those, the Beijing Declaration and Platform of Acti launched a most important agenda centred around t concept that the empowerment of women and t achievement of equality are a matter of human rig and a condition for social justice and development.

Conferences and meetings devoted to econon issues were challenged to take into account the soc consequences of globalization, trade liberalization a adjustment policies and their effects on social a economic rights. One good example of that concer approach is the acceptance of the right to access medications at affordable prices and capable of fighti dangerous diseases and pandemics, such as HIV/AID as part of the right to adequate health care.

Another very important step to eliminate gaps the architecture of human rights has been

establishment of the International Criminal Court (ICC), which fulfilled a long-standing aspiration of humanity to bring to justice people responsible for genocide, crimes against humanity and war crimes. States should be encouraged to join the Statute and to cooperate with the work of the ICC, resisting attempts to create loopholes in its application.

Despite those encouraging signs, the current world situation gives rise to concern. We are worried by the constant attempts to erode and dilute consensual language regarding principles and guidelines that were won most arduously during the global conferences.

The Third World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance that took place in Durban two years ago, although dealing with issues which the whole world should consider with a common perspective, was held during a very tense political and ideological confrontation that almost prevented the consensus adoption of a declaration. From Brazil's point of view, the results of the Durban Conference are a valuable platform for action in the fight against all forms of discrimination, racism and intolerance, which are central issues for human rights and have served as an inspiration for national public policies. We are dismayed, however, at the slow and reluctant pace with which the follow-up to Durban is being undertaken.

Days after the closure of the Durban Conference, the terrible terrorist attack of 11 September 2001 happened in the United States. As the Vienna Declaration states, acts of terrorism are aimed at the destruction of human rights, fundamental freedoms and democracy. It was therefore desirable, in the context of the tragic events of 11 September, to give a higher profile to the issue of terrorism and to the need for international and national cooperation in the prevention and repression of those heinous acts.

But it would defeat the purposes of democratic nations if, in the name of that goal, we should derogate essential rights and diminish the central role of judicial guarantees and norms related to the rights of people under detention. Under the International Covenant on Civil and Political Rights, Governments have the legitimate right to temporarily revoke certain guarantees and procedures under specific emergency situations that threaten the life of the nation. There are, however, rights that cannot be suspended in any circumstances. Among these irrevocable rights fall the right of everyone to recognition as a person before the law and the prohibition of torture and ill treatment.

Actual progress in human rights depends very much on action at the national level and requires, besides Governments' engagement, the participation of all levels of society. In our integrated world, international recognition and endorsement of human rights is essential to encourage Governments and societies to make progress towards guaranteeing those rights at the national level. And it is undeniably the responsibility of the international community as a whole to ensure the achievement of a social and international order in which the rights and freedoms set forth in human rights standards can be fully realized. The Vienna Declaration and Programme of Action added its contribution to that goal, but all of us — Governments, non-governmental organizations and concerned individuals — must continue the struggle to ensure that human rights become reality.

Mr. Akasha (Sudan) (*spoke in Arabic*): At the outset, my delegation would like to congratulate the winners of the United Nations human rights awards for 2003.

On this occasion, I pay tribute to Mr. Sergio Vieira de Mello, the High Commissioner for Human Rights, who in the prime of life lost his life defending and protecting human rights.

As a member of the international community, the Sudan is a firm believer in the universality, interdependence and indivisibility of human rights. It also believes that the international community is legally bound to follow up situations concerning human rights throughout the world, without discrimination. Similarly, we stress the need to depoliticize human rights and to reject selectivity and double standards.

The fifty-fifth anniversary of the adoption of the Universal Declaration of Human Rights and tenth anniversary of the adoption of the Vienna Declaration and Programme of Action fall as we find ourselves in pressing need of emphasizing the universality of human rights. The Vienna Declaration and Programme of Action underscores the interdependent, inalienable nature and indivisibility of human rights. The right to development is a legitimate right of the developing countries. It should therefore be accorded further attention and support by the international community in

fulfilment of international obligations and appeals for global cooperation.

We must stress that the true and decisive test in that regard lies in the earnest and sincere attempts of States to consolidate the genuine enjoyment by their citizens of their human rights and fundamental freedoms and to ensure due respect for the cultural and civilizational diversity of nations in the guarantee of human rights, without disparagement of specific cultures or the imposition of the values and concepts of other cultures.

Achieving that goal will convince us that the protection of human rights is a noble goal that all States will hasten to realize, uphold and cherish.

Mr. Requeijo Gual (Cuba) (*spoke in Spanish*): Fifty-five years ago, when two thirds of humankind remained under the colonial yoke, this Assembly adopted by vote the Universal Declaration of Human Rights, which became the basis for the subsequent development and codification of human rights. Despite its many limitations, the Declaration was an important milestone, as it set forth a vision of human rights that was progressive for its time and was designed to secure human dignity and equal rights for all human beings. However, for the broad majority of the countries in the South, subject at that time to colonial domination, the Declaration did not respond to their demands, needs and primary wishes, namely, self-determination and development, without which no human right can be fully realized. Self-determination made headway in subsequent decades only by means of lengthy and bloody battles.

The Declaration became an abstract ideal of rights, which did not address the real situation required for their enjoyment and realization, since it artificially separated rights and duties and ignored the rights of peoples. Solidarity, in particular, was thus relegated to an unfavourable position, a situation that persists to this day. International reality demonstrates that we are, today, further than ever from having human rights enjoyed by everyone.

Which human rights can we refer to, when 10 children starve to death every seven seconds, when there are 850 million starving, when more than 500 million will not reach the age of 40, when there are 876 million illiterate adults and 115 million children without access to school, mostly in the developing countries. Twenty per cent of the world's population consumes only 1 per cent of the wealth of humankind and 1.2 billion persons are living on less than one dollar a day.

In 1993, 45 years after the adoption of the Universal Declaration of Human Rights, we convened in Vienna a World Conference on Human Rights, an extremely important event in the development and codification of human rights, which endeavoured to correct many of the imperfections and omissions in the Declaration. Recognition of the right to development as a universal and inalienable right and an integral part of fundamental human rights may have been the Conference's greatest achievement.

By means of the Vienna Declaration and Programme of Action, we also recognized the universal, indivisible, interdependent and interrelated nature of all human rights, the importance of specific national and regional characteristics and the diversity of historic, cultural, religious and political heritage. Universality was emphasized, taking into account the importance of respect for diversity. In Vienna, we issued a resounding appeal for strengthening international cooperation in human rights, also reaffirming in this context the importance of ensuring objectivity, non-selectivity and impartiality when examining human rights issues.

Another of the important results of the Vienna conference was the establishment of the post of High Commissioner for Human Rights, which was endorsed by the General Assembly in resolution 48/141. This is a good time to remember the recently departed Sergio Vieira de Mello, who did outstanding work in that post. We would also like to express our recognition for the prize that was just awarded to Mr. de Mello posthumously and the awards presented to the other individuals and organizations this morning.

For the delegation of Cuba, this plenary meeting should have provided an opportunity — as is the case with other five-year review processes at other important international summits and conferences — to reflect deeply upon, to evaluate and to breathe new life into the commitments couched in the final documents of Vienna. This, unfortunately, did not happen.

In our view, many of the core elements of the Vienna Programme of Action remain unimplemented. Today, for example, far from streamlining and simplifying United Nations machinery on human rights, it continues to become increasingly complex

and, even worse, it remains politicized. The functioning of United Nations agencies and mechanisms in this area strays even further from the ideal of cooperation, due to the distortion caused by manipulation, selectivity, double standards, punitive approaches and selfish unilateral interpretations of human rights which a group of developed nations attempts to impose. This has led to uncontrollable and harmful confrontation.

Despite what had been agreed in Vienna, international cooperation over recent years in human rights has been weakened by selective, arbitrary and inquisition-like approaches practiced by powerful countries which are using this issue to achieve their own political objectives. Economic, social and cultural rights remain the truly invisible part of United Nations human rights machinery. Those rights are relegated to an inferior category and are considered to be unrealistic and merely a dream for the future. We have witnessed this recently in the context of the work of the Third Committee.

In this connection, human rights activities require that we move towards full and unconditional implementation of the right to development. Industrialized countries must stop trying to question, add conditions and reformulate the contents and scope of that right, as reaffirmed in the Vienna Declaration and proclaimed in the 1986 Declaration on the Right to Development. It is unacceptable that the very definition of the substance of this right is being questioned. The Vienna Conference also asked that States refrain from adopting unilateral measures, in contravention of international law and the United Nations Charter, that impede trade relations between States and the enjoyment of the rights laid down in the Universal Declaration of Human Rights. In particular, these include the right of every individual to an appropriate standard of living for their own health and well-being, including access to food, healthcare, housing and the necessary social services. We must still implement concrete and decisive measures through human rights mechanisms to encourage the fulfilment of this demand.

Strengthening the legislative basis that is applicable to international cooperation in the sphere of human rights cannot replace renewed genuine political will for dialogue and mutual respect between the countries of the North and the South, a will where the principles of universality, objectivity, impartiality and non-selectivity are the cornerstones.

In the context of a globalized and interdependent world, one cannot continue to promote individualism over common interests and values shared by humankind. Human solidarity is no longer an altruistic option, but a condition for the very survival of humankind. The creation of a social and international order in which rights and fundamental freedoms are truly realized is not merely a right proclaimed in the Universal Declaration of Human Rights, but truly a sine qua non.

The Vienna Declaration and Programme of Action remains fully in force as the most inclusive document adopted by consensus, with the broadest participation of the international community, for securing international cooperation in promoting and protecting human rights. Today the greatest challenge in human rights is its speedy, full and effective implementation. We will not be judged by history and future generations on the basis of our documents and words, but by what we actually do to give them a world in which justice, humanism, peace, dignity, solidarity and equality truly reign.

Mr. Baikadamov (Kazakhstan) (*spoke in Russian*): At the outset I would like to hail the observance of the fifty-fifth anniversary of the Universal Declaration of Human Rights at the United Nations. As an ombudsman, it is a pleasure for me to see that the United Nations General Assembly is dedicating this special meeting to the anniversary of such an important human rights instrument. In so doing, the international community is reaffirming and demonstrating that it considers human rights and fundamental freedoms its first priority and it highlights their increasing significance as a human values.

As I am also representing Kazakhstan's human rights institutions at today's meeting, I would like to underscore the decisive and inspirational role that the Universal Declaration of Human Rights has played in the development of our State.

Twelve years ago, when Kazakhstan obtained political independence, we began the creation of a new society that was capable of meeting the pressing needs of the people and was responsive to their interests. We had to fashion a State based on the rule of law and stripped of ideology, carry out market reforms in our

economy, democratize our society and guide our people towards an independent and responsible lifestyle.

Over the past years much has been accomplished in our country. Kazakhstan has become a truly independent State, functioning on the principle of the separation of powers with an effective bicameral parliament. The country has seen intense growth in economic development. The process of democratization in Kazakhstan has led to the emergence of a broad range of civil society institutions and favourable conditions for independent mass media.

From the earliest days of its independence, we have relied on the basic United Nations human rights documents. They have become crucial guidelines in our efforts to create a social order in which individuals would not have to face discrimination and their dignity would be protected. The Universal Declaration of Human Rights has taken on new meaning in Kazakhstan: its principles have provided the necessary content and logic for the development of our new life. It is no accident that its principles are enshrined in the text of our Constitution.

We are convinced that to incorporate human rights is to internalize them in our system of values and make them spiritually essential. That is what we have discovered in the Universal Declaration, which seems to us to be a natural gro..ping of human values.

The Declaration is of paramount importance for the citizens of our country. It reflects centuries of mankind's experience in creating the most just relations among people based on the recognition of the dignity and the inalienable rights of each person. The Universal Declaration is a reflection, imbued with universal principles, of the process of coming into being of a free person. That is evident in looking at the history of the world and, now, in looking at the history of Kazakhstan.

Over the past 12 years our country has been liberalizing its social, political and economic life. It is open to contact with the outside world and there are more and more economically and socially independent and responsible people. For such people a lawful State, with predictable rules governing the political, economic and public spheres, is vital.

Our country is steadily becoming a party to international treaties in the human right sector and takes their implementation seriously. We have already acceded to most United Nations human conventions. Last week we took one more step direction by signing the International Covena Civil and Political Rights and the Intern Covenant on Economic, Social and Cultural Righ

Kazakhstan is constantly striving to ref national legislation, especially in the area of rights and freedoms, by aligning it with intern standards. Protection of the rights of the moth child is a priority. There is also continual work done to improve electoral legislation and concerning the mass media and local self-gover Criminal legislation is being made more huma we are considering the possibility of abolishi death penalty, while perhaps imposing a morato the interim. In accordance with commi previously undertaken, Kazakhstan has transfer penitentiary system to a civil body, namel Ministry of Justice.

As a result of Kazakhstan's legal refo unified judicial system has been established. Mo have been taken to ensure the independence of and a tenure system has been instituted for app judges. There is now a process under way to specialized administrative and economic courts.

Kazakhstan has succeeded in putting in mechanisms to involve civil society institut setting and implementing State policy. Such include the Commission on Human Rights, the C on Youth, the Council on Relations with Re Associations, the National Commission on Fam Women, the Public Council on Mass Media un auspices of the President of the country, as we permanent forum for drafting proposals on w further democratize and develop civil societ National Council and the Citizens Forum.

Exactly one year ago, with the assista United Nations bodies, the institution of the N Ombudsman was established and its work is carr in keeping with international standards i.e. th Principles. The office of the National Ombudsm set the protection of the rights of the most s vulnerable segments of the population as its prio working to protect the rights of citizens, the N Ombudsman has developed educational activit worked on refining legislation.

In commemorating, together with international community, the fifty-fifth anniver

the United Nations adoption of the Universal Declaration of Human Rights, Kazakhstan will continue to do everything it can to support the work of the Organization implementing the lofty principles of this fundamental human rights document.

Mr. Talbot (Guyana): We have gathered today to mark the fifty- fifth anniversary of the proclamation of the Universal Declaration of Human Rights and to provide fresh recognition and a renewed tribute to the pivotal role and significance of the Universal Declaration in the global effort for the promotion and protection of human rights and fundamental freedoms for all peoples.

Today we also mark the tenth anniversary of the adoption by consensus of the Vienna Declaration and Programme of Action as a major outcome of the World Conference on Human Rights. The unanimous acclaim of the Universal Declaration of Human Rights is attributable to its remarkable success in codifying a core of values that the entire international community would agree to accept as common benchmarks of achievement. Its success in transcending religious, cultural and political traditions and orientations to unite peoples and nations was certainly a significant triumph. It is essentially that aspect of commonality, in spite of difference, that is the true source of the enduring value and power of the Declaration and it is that perspective that is at the heart of recognition for human rights at every level of society.

As we observe the fifty-fifth anniversary of the proclamation of the Universal Declaration, we bear a collective responsibility to uphold its hard-earned stature in the international sphere. Given the indivisible nature of human rights — civil, political, economic, social and cultural — it is imperative to bolster collaboration at all levels in order to consolidate prospects for more concrete achievements.

Against that background, approaches premised primarily on national considerations, such as those based on geographical, economic or social difference, pose a special challenge to international cooperation and progress in the field of human rights. At the same time, my delegation believes that, as we increasingly raise our voices — and rightly so — in defence of the individual victims of human rights abuses, the international community should also remain fully seized of the plight of the teeming millions in developing countries for whom the right to development remains a dream unfulfilled.

Over the past decade we have witnessed the emergence of a plethora of developments that test our cherished perceptions of universal human rights. Those developments now compel an appraisal of our joint progress in extending the frontiers of human rights, while simultaneously responding to grave challenges.

The greatly amplified tension between the pursuit of a safer and more secure world and the extension of the enjoyment of freedom has perforce preoccupied our interest and energies in large measure. Terrorism, manifested on a hitherto unprecedented scale, has had an indelible impact on the global consciousness. Within that context, the horror of underdevelopment, poverty and disease, including the HIV/AIDS pandemic — which is no less an impediment to global progress on human rights — could be further relegated to the domain of the seemingly commonplace. It is important, therefore, to construct solutions that can target those not unrelated dimensions, while allowing for intensified progress on all fronts.

Notwithstanding those realities, there have been several heartening signs in recent times. At the Millennium Summit, commitments for the advance of global development were crystallized in the form of the Millennium Development Goals. The Monterrey Consensus, which followed, marked an important step forward in the global effort to mobilize the means for achievement of agreed development goals and to promote a more equitable global economic system. Those developments complement, and, indeed, should provide a new impetus, for the endeavours and gains resulting from more than five decades of consistent collaboration by the international community under the aegis of the Universal Declaration.

Accordingly, in marking Human Rights Day 2003, we stand at a juncture of renewed hope. Within our collective grasp is the prospect of the realization of more significant progress than has hitherto been the case. That promise must not be dissipated by prevarication or procrastination in the face of the formidable challenges before us. In that regard, the Vienna Declaration and Programme of Action has proven a useful instrument and should continue to provide the framework for more robust concerted action among actors at the local, national, regional and international levels.

To better guarantee the realization of our common human rights objectives and shared aspirations for equitable and sustainable development, my delegation has in the past advocated the need for the creation of a new global human order. Such an order should be based on a partnership approach that provides the international community with the rationale, motivation and mechanisms to imbue our stated commitment to development with the requisite political determination, as well as with the concrete steps to assure the attainment of the goals to which we subscribed universally.

Guyana holds the promotion and protection of human rights in the highest regard. My Government considers the strengthening of democracy and the safeguarding of human rights of all its citizens as integral to our overall development. Through the collective efforts of the Government, opposition parties and representatives of civil society — and with the support of international community — we have made noticeable progress in expanding my country's regime of rights and freedoms and strengthening the recourse mechanisms for safeguarding those rights. The legal and social framework for eliminating discrimination on the basis of ethnic origin in all spheres of life in the country has been significantly strengthened, as have the rights of women, children and indigenous peoples. That commitment to the promotion of human rights has informed Guyana's ratification of the major human rights conventions and our determination in honouring their attendant obligations.

One day in the life and work of the United Nations seems altogether inadequate to give the necessary consideration and emphasis to the tremendous work of advancing human rights globally that it so richly deserves. But as the seminal act of the promulgation of the Universal Declaration fifty-five years ago has confirmed, simple acts can inaugurate powerful movements for change and improvement.

This year's United Nations Human Rights Award winners, in their work for the promotion of human rights through disparate means, together richly exemplify the difference simple acts can make. Those undertakings and accomplishments broaden our scope for hope in the future. I would like to take this opportunity on behalf of the delegation of Guyana to extend our congratulations to the Award recipients and to lend our voice and commitment to the goal of the early realization of all human rights for the entire global community. In that context, I also wish to pay tribute to the work of Sergio Vieira de Mello, the late United Nations High Commissioner for Human Rights, whose life of service to humanity was tragically and prematurely truncated in Iraq, but whose example and dedication will not as easily be effaced from our memories.

As we mark Human Rights Day 2003, I wish to urge that we rekindle the flame of understanding, cooperation and positive endeavour that so remarkably characterize the Universal Declaration and its implementation. In so doing, we can hasten the prospect for greater realization and enjoyment of human rights and fundamental freedoms by the entire human family.

The meeting rose at 1.10 p.m.